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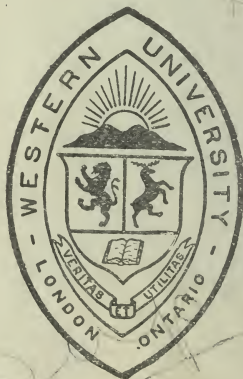
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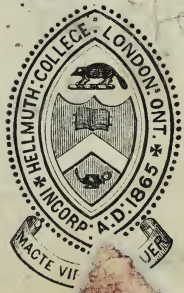
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A SEAMAN OF ILLINOIS

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BY

THOMAS, TENTH EARL OF DUNDONALD, G.C.B.

ADMIRAL OF THE RED, REAR-ADMIRAL OF THE FLEET,
ETC. ETC.



LONDON:

RICHARD BENTLEY, NEW BURLINGTON STREET,
Publisher in Ordinary to Her Majesty.

1862.

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TO

THE ELECTORS OF WESTMINSTER,

BY WHOSE GENEROUS SUPPORT, NEARLY HALF A CENTURY AGO,
I WAS RESCUED FROM DESPAIR,

THE RESULT OF UNMERITED INJURIES INFLICTED
BY HOSTILE POLITICAL FACTION

IN RETALIATION FOR
MY ADVOCACY OF NAVAL AND ADMINISTRATIVE REFORMS;

AND TO WHOSE HONOUR BE IT RECORDED
THAT IN NO INSTANCE
DURING OUR LONG POLITICAL CONNEXION
DID ANY OF THEIR BODY EVER ASK ME
TO PROCURE FOR HIM PLACE, BENEFIT, OR EMOLUMENT,

Wm. D. F.
This Volume is Inscribed

BY THEIR FAITHFUL SERVANT,

Handwritten signature
DUNDONALD

773501



PREFACE.



THE present work narrates my services in the British Navy, from my entrance into it, and including the action in Aix Roads, on the 11th, 12th, and 13th of April, 1809; the result of that action, viz., the court-martial on Lord Gambier—virtually a prosecution of myself; my non-employment thenceforward in the navy; the unscrupulous plot by which I was driven from that noble service; my restoration to rank by his late Majesty William IV., and to the honours which had accompanied that rank by my present most gracious Sovereign Queen Victoria.

To one of these points I shall, however, here briefly allude,—my restoration to the naval service; not for the purpose of prejudging the subject, but with the intention of embracing the first opportunity which has been afforded me, of paying a tribute of thanks to those who, convinced of the injustice of the sentence, were mainly instrumental in procuring its reversal.

Amongst these I am proud to rank one, the soundness of whose judgment, and the disinterestedness of whose patriotism, have throughout a long life never failed to secure the highest respect amongst men of every shade of political party—the Marquis of Lansdowne; who, from the commencement of my unmerited troubles, has to this day manifested the most generous confidence in my honour, and as has generously supported my cause when my character has been called in question. If proof were wanted of my entire innocence of the accusation laid to my charge forty-five years ago, no prouder testimony of incapability to have committed the imputed offence could be adduced than the unabated friendship of the Marquis of Lansdowne; simply because no man with a stain on his character could have retained any place in that illustrious nobleman's consideration.

To another nobleman, whose name will descend to the remotest posterity as the promoter of everything rationally liberal in politics, and the untiring advocate of measures calculated to promote social advancement, my warmest thanks are no less due. First my counsel, and for half a century my friend,—to

the long-continued esteem of Lord Brougham, I owe no small portion of that consolation which for so many years formed my only support under a weight of persecution enough to have bowed any man, not so supported, to the earth; into which, had it not been for the disinterested countenance thus afforded by men above reproach, I must have prematurely sunk.

One testimony of my venerated friend I may be allowed to adduce* :—

“I must be distinctly understood to deny the accuracy of the opinion which Lord Ellenborough appears to have formed in Lord Cochrane’s case, and deeply to lament the verdict of Guilty, which the jury returned after three hours’ consulting and hesitation.

“Our own complaint was his lordship’s refusal to adjourn after the prosecutor’s case closed, and his requiring us to enter upon our defence at so late an hour—past nine o’clock—so that the adjournment took place at midnight and before we had called our witnesses. I speak of the trial at Guildhall only. Lord Ellenborough was *equally to blame with his brethren in the Court of King’s Bench for that most cruel and unjustifiable sentence* which at once secured Lord Cochrane’s re-election for Westminster.

“In 1833 the Government of which I was a member restored this great warrior to his rank of admiral in our navy. The country, therefore, in the event of hostilities, would now have the inestimable benefit of his services, whom none perhaps ever equalled in heroic courage, and whose fertility of resources, military as well as naval, places him high among the very first of commanders. That his honours of knight-hood, so gloriously won, should still be withholden, is a stain, *not upon him*, but upon the councils of his country; and after his restoration to the service, it is as inconsistent and incomprehensible as it is cruel and unjust.”†

To many others, high in public estimation and in the councils of their Sovereign, I have been equally indebted for countenance and support, but as it has been my lot to outlive them, they are beyond the reach of thanks. Amongst these may be mentioned the late Duke of Hamilton, the Earl of Auckland, Sir Francis Burdett,—my late warm-hearted friend and colleague; Mr. Whitbread, Mr. Hume, and others whose names have escaped my memory rather than my gratitude.

Last, though foremost in estimation, is another friend, found where man will seldom look for a friend in vain,—at home; the Countess of Dundonald, my wife. Knowing the opinion of her Sovereign with regard to the persecution which had entailed

* See Lord Brougham’s “Historic Sketches of Statesmen of the Reign of George III.”

† On the accession of her present Most Gracious Majesty those honours were restored; every attempt to obtain their restoration during the reign of his late Majesty having failed, from causes which will be afterwards stated and notwithstanding that His Majesty himself warmly espoused my cause.

on me so many years of misery, and equally well aware that in the first years of his Majesty's reign the non-reversal of that unjust sentence was owing to the influence of some in his Majesty's councils, whose political animosity sixteen years before had no small share in its infliction,—that ardent and heroic lady determined to penetrate to the foot of the throne, and learn from the lips of the Sovereign himself whether it was consistent with the dignity of his crown, that its attribute of mercy should be the sport of an almost extinct political faction.

The step was a bold one; but the ardour which had conceived it to be necessary lacked not the energy to carry out its resolve. In spite of the coolness of some about the court, and the positive rudeness of others whose names it is not worth while to resuscitate, this devoted lady gained an interview with her Sovereign, and with the greatest respect besought his Majesty not to permit the benevolence of his disposition, and his own belief in the innocence of her unjustly maligned husband, to be thwarted by those whose office it was to advise, but not to control, his better judgment.

His Majesty graciously listened, and his reply was kingly, that “he would no longer allow the reparation which was her husband's due, to be withheld.” A change of ministry shortly afterwards followed, and, as already quoted in an extract from the writings of Lord Brougham, my restoration to rank rewarded the heroic efforts of my devoted wife. Nevertheless, a leaven of former political malice remained, sufficiently powerful to prevent my restoration to the honours with which a previous Sovereign had invested me, but of which I had been despoiled with every mark of degradation which political animosity could invent.*

This gracious act of restoring my honours was reserved for her present Majesty, who with the delicacy which is one of her Majesty's noblest characteristics, gave back the boon of which I had for so many years been wrongfully deprived; and subsequently conferred upon me, at the age of seventy-three, my first command of a British fleet. For both marks of her Majesty's kindness and appreciation of my former services, I am deeply grateful. But alas! reparation came too late to compensate for the early hopes and just expectations of a life forcibly wasted as regarded myself or my country.

The moral—to use an old-fashioned phrase—of my chequered career, is this:—That they who, in political matters, propose to themselves a strict and rigid adherence to the truth of their

* Viz., a forcible intrusion into my apartments in the King's Bench Prison in the dead of night, with a demand for the immediate surrender of the Insignia.

convictions, irrespective of personal consequences, must expect obloquy rather than reward; and that they who obstinately pursue their professional duty in the face of routine and official prejudice, may think themselves lucky if they escape persecution. Such a moral may be derogatory in a national point of view, but it is the result of my own bitter experience: notwithstanding which, were my life to begin anew, I would pursue the same unflinching course with regard to naval abuses, of following out my own convictions,—a course which would produce the same result to myself, the consolation of my own rectitude, even though I might be deprived of all other reward.

Still all is not dark. I have survived malignity, and its chief cause, viz. the enmity arising from my zealous advocacy of departmental and political reform. The latter has been achieved to a greater extent than the early political reformers, amongst whose ranks I was enrolled, ever dreamed of; and even departmental reform has become fashionable, though it may not have advanced far beyond that point.

In one respect I will boldly assert that this narrative of my life is worthy of example. It will show the young officer that, in spite of obstacles, warm attachment and untiring devotion to my noble profession enabled me to render some services to my country upon which I may be allowed to reflect with satisfaction, even though this be accompanied with bitter reflection as to what the all-powerful enmity of my political opponents cruelly deprived me of further opportunity to accomplish.

In conclusion, I must express my thanks to Mr. Earp, whose zeal has exhumed from documents almost, in my own estimation, beyond comprehension or arrangement,* the mass of facts condensed within the compass of this work.

In the succeeding portion of this work, should God spare me to see its completion, I trust to render additional service, by an attempt to deduce from past naval experience the best means of preserving unimpaired our future maritime efficiency. Should the attempt be the means of awakening national attention, the gratification will be mine of having left no unworthy legacy to my country.

DUNDONALD.

December 14, 1859.

* In the great earthquake at Valparaiso in 1822 my house shared the common destruction, and from the torrents of rain which accompanied the unusual atmospheric disturbance, my papers were saturated with water, to such an extent that it became necessary to lay them to dry in the sun. Whilst undergoing this process one of the whirlwinds common on the Chilian coast suddenly came on, and scattered them in all directions. Many were lost, but more torn, and rendered almost undecipherable; whilst all that remained have been ever since in confusion. The labour of accurate compilation from such materials may be imagined.

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THE RENFREW OF A SEAMAN.

INTRODUCTORY.

SOME ACCOUNT OF THE DUNDONALD FAMILY.

TRADITION has assigned to the Cochranes a derivation from one of the Scandinavian sea-rovers, who, in a remote age, settled on the lands of Renfrew and Ayr. There is reason to believe the tradition well founded; but to trace its authenticity would be foreign to the purpose of the present work.

In later times, incidents of historic interest connected with the family, justify allusion, as forming contributions not only to the national annals of Scotland, but to those of England also. The earliest authentic record of our house is contained in the subjoined extract from Crawford's "Peerage of Scotland."

"This family, which originally took its surname from the Barony of Cochran, in Renfrewshire,* is of great antiquity; and though none of the family arrived to the dignity of peerage till the reign of King Charles I., yet it is undeniable that they were barons of special account for many ages before, and endowed with large possessions in these parts and elsewhere.

"The first of whom I have found upon record is Waldenus de Coveran, *i.e.* Cochran, who, in 1262, is witness to the grant which Dungal, the son of Suayn, made to Walter Stewart Earl of Monteith of sundry lands in the county of Argyle, which came in aftertimes to be transmitted to Forrester of Carden. Another William de Coveran is mentioned by Pryn, as a person of account in this county, who makes

* "Opposite to Johnstoun, upon the east side of the river, lye the house and barony of Cochran, the principal manour of the Cochrans, a family of great antiquity in this shire, whose ancestors have possessed these lands well nigh 500 years, and, without doubt, have taken appellation from their hereditary lands, when fixed surnames came to be used."—*Crawford's Description of Renfrew*, p. 82.

his submission to King Edward I. Anno Dom. 1296, in the Ragman Roll; also John de Coveran is witness in the regular election of James, Abbot of Paisley, 17th of David II. Anno 1346.

"The next remarkable person of the family is Gosiline de Cochran, who flourished under King David Bruce; he is witness to several grants made by Robert II. when Earl of Strathern, to the religious of Paisley, an abbacy he assumed into his particular patronage, wherein his ancestors' donations being made to the glory of God are particularly narrated. He left issue, William de Cochran, of that ilk, his son, who obtained from King Robert II. a charter of the lands of Cochran, to be held in as ample a manner as any other lands in Scotland, the same of the Lord High Steward of Scotland, dated on the 22nd of September, 1389. As he stood in special favour with this king, so was he in no less with Robert III. his son, to whom it seems he had been serviceable; for when he came to the crown he had so grateful a sense thereof, that in the second year of his reign, Anno 1392, he made him a grant of forty shillings sterling in annuity, arising out of the profits of the Burgh of Rutherglen. He was succeeded by Robert his son who, in 1456, resigned his estates in favour of Allan his son."

This surrender of his estate appears to have been made for no other purpose than to devote himself to the study and practice of architecture, in which, as an art, Scotland was, at that time, behind other nations. In the exercise of his self-imposed profession, Robert Cochran is said to have displayed great skill in the erection of several edifices,* and when, by the favour of the King James III. he afterwards rose to power, his architectural eminence procured for him, amongst the host of enemies created by his elevation, the contemptuous appellation of the "mason chiel."

It was not, however, his architectural skill alone which gave him a place in his sovereign's estimation, but his good broadsword and powerful arm, the efficacy of which having been displayed in a combat in the king's presence† attracted his Majesty's attention; so much so, that the king, finding him to be of good family, and possessed of great talent, placed him near his person; the result being that in a brief space of time he

* Pinkerton.

† "He came to be known to the king by a duel which he fought with another; and presently from an architect came to be made a courtier, and was put in a fair way of rising to some greater advancement; for, having performed some lighter matters, intrusted to him, with diligence, and also accommodating himself to the king's humour, he was soon admitted to advise concerning the grand affairs of the kingdom; insomuch that Preston chose him to be his son-in-law."—*Buchanan*, vol. ii., p. 301. "But that which made Cochran most envied was his earldom of March; which country the king had either given to him, or at least committed to his trust, upon the death of the king's younger brother."—*Buchanan*, vol. ii., p. 309.

became his chief adviser, and the great opponent of the Scottish nobility, who sought to hold the king in their power.

In short, Robert Cochran appears to have become to James something like what Wolsey subsequently was to Henry VIII., not in power only, but also in ostentation. In the latter respect, Lindsay says of him, that "even his pavilions were of silk, and the fastening chains thereof richly gilt." Pinkerton says he "became the fountain of royal favour, and was elevated to a giddy and invidious height of power—this being the earldom of Mar."*

This advancement to the earldom of Mar, says Buchanan, "was the chief source of the hatred of the nobility, who were disgusted with James, partly by reason of his familiarity with that rascally sort of people, but chiefly because *he slighted the nobility*, and chose mean persons to be his counsellors and advisers, the chief of these being Thomas Preston, one of a good family, and Robert Cochran, a man endued with great strength of body, and equal audacity of mind."

In classing Thomas Preston and Robert Cochran amongst "that rascally sort of people," Buchanan contradicts himself, for he admits that Preston was of good family, and he must have known that Cochran's family was still more ancient, so that the historian only gives evidence of his own tufthunting tendencies. What were the feelings of the nobility towards Robert Cochran, may be gathered from the titles to the chapters of a scurrilous book subsequently written in their interest for the purpose of denouncing his memory.

* The following extract from Crawford shows that the title and revenues of the earldom of Mar were in the hands of James at this time:—

"ERSKINE EARL OF MAR.

"Which Thomas [Erskine Earl of Mar,] did prosecute his father's claim to the earldom of Mar with all the vigour imaginable, but having a powerful party, the king, to deal with, at length a final sentence was given against him in parliament, on the 5th November, 1457, which he was obliged to acquiesce in; but notwithstanding the hard measure he had undergone from the king, and which might have been thought would have made him ready to have taken all occasions of being severe of it, yet he was a person of so much honour and virtue that in the succeeding reign of James III., when he had a very fair opportunity to be revenged, yet he no sooner saw the ways of duty towards the king decline, and his power *envied by a strong party of the nobility*, than out of pure conscience to serve his Majesty when he was in distress he fairly engaged in his quarrel, and when the war broke out accepted a command in the army, in which he continued till the very end that the king was miserably killed in the field of Stirling on the 11th of June, 1488."

1. "This minister's (Robert Cochran) raising himself, first by his impudence, and next by his alliance with a noble lord, whom he wormed out of power."

2. "His poor condition when he first came to court."

5. "His buildings and passion for hunting."

7. "*His working the disgrace of all the great men,*" &c.

This last head, "*working the disgrace of all the great men,*" appears to form the key to their whole hatred, but it implies patriotism towards a monarch and a country whom the "great men" had previously oppressed. I am quite content to rest the reputation of my ancestor upon the libellous evidence of his adversaries, or the showing of the Scottish historians, that he attempted to abridge the power of the nobles, *and succeeded* to such an extent as to secure his own murder. To enter at length into such matters would, however, be to substitute my ancestor's biography for my own, and therefore it will only be necessary to abridge from Pinkerton a few interesting extracts relative to this romance of Scottish history.

"The new Earl of Mar, unconscious that his extreme elevation was an infallible step to the deepest ruin, continued to abuse his power, and that of his sovereign. The nobles beheld the places, *formerly given to their sons*, now sold (?) to Mar's followers. The prelates and other dignitaries of the church *sighed at the increase of simony!* &c. &c. In short, the whole honour and welfare of the king and kingdom were sacrificed on the domestic altar of this base and covetous minion!

"Some of the peers assembled, and consulted upon the means of delivering the realm from the disgrace and destruction inflicted by Cochran and the other royal favourites. A noble deputation had even been sent to the king, requesting that he would dismiss these pernicious councillors, and restore the confidence placed by his ancestors *in the loyalty of the nobility*. The answer of James was far from satisfactory, but the peers assented to delay, and dissembled till some decisive occasion should arise.

"The Scottish array, amounting to about fifty thousand, had crowded to the royal banner at Burrough-muir, near Edinburgh, whence they marched to Soutray and to Lauder, at which place they encamped between the church and the village. Cochran, Earl of Mar, conducted the artillery, and his presence and pomp were additional insults. On the morning after their arrival at Lauder, the peers assembled in a secret council, in the church, and deliberated upon their designs of revenge. The Earls of Angus, Argyle, Huntley, Orkney or Caithness, Crawford, the Lords Home, Fleming, Gray, Drummond, Hales, and Seton, are chiefly mentioned upon this occasion; and the discontent must have spread far when we find Evandale the chancellor and some bishops united to the above names.

"In the course of the debate Gray took occasion to introduce an apologue: 'The mice consulted upon the means of deliverance from their tyrannic enemy the cat, and agreed that a bell should be sus-

pended about her neck, to notify her approach and their danger ; but what mouse has courage sufficient to fasten the bell ? ' I shall bell the cat,' exclaimed the impatience of Angus, in whom a current of the blood of Douglas flowed ; and the homely times conferred upon him the appellation of Archibald Bell the Cat. It was concluded that the king *should be put in a gentle imprisonment* in the castle of Edinburgh, and that all his favourites should be instantly hanged over the bridge of Lauder.

"Cochran, ignorant of their designs, at length left the royal presence to proceed to the council. The earl was attended by three hundred men, armed with light battle-axes, and distinguished by his livery of white with black fillets. He was clothed in a riding cloak of black velvet, and wore a large chain of gold around his neck ; his horn of the chase, or of battle, was adorned with gold and precious stones ; and his helmet, overlaid with the same valuable metal, was borne before him. Approaching the door of the church, he commanded an attendant to knock with authority ; and Sir Robert Douglas of Lochleven, who guarded the passage, inquiring the name, was answered, 'Tis I, the Earl of Mar.' Cochran and some of his friends were admitted. Angus advanced to him, and pulling the golden chain from his neck, said, 'A rope will become thee better ;' while Douglas of Lochleven seized his hunting-horn, declaring that he had been too long a hunter of mischief. Rather astonished than alarmed, Cochran said : 'My lords, is it jest or earnest ?' To which it was replied, 'It is good earnest, and so thou shalt find it, for thou and thy accomplices have too long abused our prince's favour ; but no longer expect such advantage, for thou and thy followers shall now reap the deserved reward.'

"Having secured Mar, the lords dispatched some men-at-arms to the king's pavilion, conducted by two or three moderate leaders, who amused James while their followers seized the favourites. Sir William Roger, the English musician ; Preston, a gentleman, Hommil, Torphichan, Leonard, and others, were instantly hanged over the bridge at Lauder. John Ramsay of Balmain, having clasped the king's person, was alone spared. Cochran was now brought out, his hands bound with a rope, and thus conducted to the bridge, and hanged above his companions."

Even the privilege of being hanged with one of the silken cords of his pavilion was denied him ; and his making such a request Pinkerton attributes to "weak pride," though it certainly looked more like "cool pride," which would not condescend to beg life, and only asked to die like a gentleman.

Much in the same spirit, but showing the abilities of the man, are the following extracts from "A Detection of the Falsehood, Abuse, and Misrepresentations in a late Libel, entitled the Life of Sir Robert Cochrane, Prime Minister in Scotland to James the Third."

"This COCHRAN, [Sir Robert] according to the greatest of the Scottish Writers, lived at a Time when a Faction in England made War on their lawful Sovereign, and imposed it on the King by Force of Arms, that he should bear the Name and Ensigns, or Badges of a King,

but the Power of the Government should be in the heads of their Faction, against which Violence and Tyranny the Queen drew the Sword for her Husband's (Henry the 6th) Deliverance with such Vigour and Success, as rescued him from his Enemies, slew their Chiefs in Battle, destroyed two Armies, gaining two compleat Victories; and even when Fortune deserted this masculine Princess, in her final Overthrow Six and thirty thousand men were slain before she lost the Field.

"These were the Times when Cochran became the Minion of the King of Scotland, who departing from the Counsels of his ancient Servants, and withdrawing Himself from the Nobility, chose mean and infamous Persons to be the Companions of his Pleasures and the Advisers of his Reign.

"Of these one *Preston* was Chief, though born of a better Family than any of his Comrades, who abandoned himself to indulge the King's Humour in all Things. And COCHRAN came next, who, of a Builder was instantly made Courtier! History describes Him as a Man of great Bodily Strength, and of equal Impudence! who, making Himself known to the King by a Duel which He fought, was admitted at Court with great Expectations of Advancement. Having been employ'd in Matters of small Concern, which He performed with great Application, and insinuating Himself into the King's Favour by constant Assiduity, He became immediately advised with in the most important and the most intimate Councils of the Kingdom. Preston upon this made Him his Son, by giving him his Daughter in Marriage*"

To return to the descendants of the murdered minister:—

"This Allan (son of the murdered Robert), in 1452, is witness to the mortification which Robert Lord Lyle made to the abbot and conventual brethren of the monastery of Paisley, of the fishing on the river of Clyde, at the place called Crokshot, for the help of their prayers to advance his spiritual estate, in which deed he is designated Allanus Cochran, Armiger, his father being then alive, and to whom he succeeded before the 1480. He married *Agnes*, daughter of, by whom he had Robert, a son, who was father of John Cochran of that Ilk, who immediately succeeded his grandfather upon his death.

"Which John, for some consideration I know not, obtained a licence from his sovereign Lord King James IV. under the Great Seal, impouring him to dispose of either his lands of Easter Cochran in Renfrewshire, or his lands of Pitfour in Perthshire. Accordingly, he alienated a part of his lands of Cochran to James Archbishop of Glasgow, Anno 1519; to which deed he appends his seal, the impression bearing *three Boars' Heads* *eraz'd* and circumscribed *Sigillum*

* Buchanan speaks of Preston's alliance with Cochran as "one solicited to strengthen himself, which was not the cause but the effect of Cochran's power at Court Again, the immediate Acquisition of Crown Lands which rendered Cochran most odious, is highly spoken of, notwithstanding that he obtained a Grant of the Lands belonging to a Prince of the Blood, even the Revenue of an Earl! and by such Grants *outvied the Splendour of the ancient Nobility!* who beheld Persons of the meanest extraction eclipse them in Lustre!"

Johannis de Cochran. His wife was Elizabeth, daughter of John Simple of Fullwood, who bore him a son, John, who was served and returned heir to his father on the 12th of May, 1539; he, dying in the 1557, left issue by Mary, his wife, daughter of Lindsay of Dunrod, *in Vicecomitatu de Renfrew*, a son,

“William, who succeeded him. In 1593, he erected from the foundation at Cochran, the ancient seat of his family, a very high tower of free-stone, and adorned it with large plantations; he marrying Margaret, daughter of Robert Montgomery of Skelmurly, *in Vicecomitatu de Air*, by Mary, his wife, daughter of Robert, Lord Semple, had a daughter Elizabeth, his sole heir.

“He wisely considering the proper way of supporting his family was to settle his daughter in his own time, and declining to marry her into a richer family than his son, he made a prudent and discreet match for her with Alexander Blair, a younger son of an ancient and genteel family in Airshire, whose ancestors had been seated in the country aforesaid for many ages before, so that beside a noble alliance, and a competent patrimony, he yielded to change his name to Cochran, which was almost the only condition the old gentleman required. This Alexander, so taking upon him the surname of Cochran, was a virtuous and frugal man, and studied as much the good of the family as if he himself had been born the heir thereof. In 1622, he acquired the lands of Cowdoun with an intention to unite them to the ancient patrimonial inheritance of Cochran; but he afterwards sold them to Sir William, his second son, as a fund to provide his younger children; for, besides Sir John, his eldest son, he had six other sons, and two daughters:

“Sir William Cochran of Cowdoun.

“Alexander, a colonel in the king's service, in the wars of Ireland, which commenced in 1641, with the murder of upwards of fifty thousand Scots and English by the native Irish.

“Hugh, author of the branch of Fergusly; he was a colonel, first under the renoun'd Gustavus Adolphus King of Sweden, and afterward to King Charles I. in the time of the Civil War in Ireland.

“Bryse, a colonel in the time of the Civil War, who lost his life in the king's service, Anno 1650.

“Captain Ochter Cochran.

“Gavin Cochran, of Craigmure, was the seventh and youngest son.

“Elizabeth, married to John Lennox of Woodhead in Stirlingshire.

“Grisel, to Thomas Dunlop of Housle.

“Which Sir John, in the time of the unhappy Civil War in Britain, firmly adhered to the interest of King Charles I. and had a colonel's commission in the army. In the year 1644, he was sent ambassador to several princes to solicit their assistance in his Majesty's behalf, which he performed with such diligence and conduct, that in the treaty of peace which was set on foot betwixt the king and the Parliament of England and the Estates of Scotland, Anno 1646, he was, together with the Marquis of Huntly and Montrose, the Earls of Nithsdale, Crawford, Traquair, &c. proposed to be excepted from the king's pardon, which his Majesty generously refused. Upon the murder of the king, he attended King Charles II. into foreign parts, and in the 1650 was sent into Poland to crave aid of the Scots merchants there; but before his return the king and the Scots army were defeated at Worcester; he

continuing with the king during his exile, dyed about the time of the Restoration, without issue ; so that his next brother, Sir William, became his heir.

"Which Sir William was very carefully educated in grammar learning in his youth, whence he was removed to the university ; where having applied himself indefatigably to his studies, and highly improved his natural endowments with academical learning, he removed from thence after he had taken the degree of Master of Arts, and studied our laws ; in which profession he attained to an uncommon perfection. Soon after his entering on the stage of business, he became much famed for his prudent management and conduct, by which he acquired a fair estate both in the shires of Renfrew and Air, for the last of which he had the honour to serve as a member in the Parliament, 1647, wherein his abilities were soon discovered by the great and leading men of the House, and he showed himself, thro' the course of the sitting of that Parliament, a good and even patriot, wholly intent upon the honour and safety of the king, whose interest he did visibly advance, and the welfare and tranquillity of the nation then in no small ferment."

On the visit of Charles I. to his Scottish dominions in 1641, for the purpose of allaying the hostile feelings which his arbitrary acts had there excited, Sir William Cochrane of Cowden had sufficient influence to be instrumental in reconciling the monarch and his angry subjects ; together with sufficient substance and loyalty to minister to the necessities of his sovereign. For these and other services Sir William was at this time elevated to the peerage under the title of Lord Cochrane of Cowden ; the gratitude of Charles, however, not being openly manifested until some years afterwards a prisoner in Carisbrook Castle.*

As this circumstance is, to the best of my knowledge, unique, and is at variance with the statements of some Scottish genealogists, who give the date of the letters-patent as at Scarborough, Dec. 27, 1647, an extract from the "Acts" of the Privy Council in Edinburgh, confirming the original patent, may be gratifying to the historian.

"At Edinburgh, the 1st day of April, 1648.

"The which day and year of our Lord, at his Majesty's Privy Council, John Earl of Craford and Lindsay produced a patent under his Majesty's Great Seal, dated at Carisbrook, the 26th day of December, 1647—by which his Majesty, considering the faithfulness and good

* That the peerage was considered to have been conferred in 1641, appears from a subsequent order of Charles II. for the elevation of Lord Cochrane to the Earldom of Dundonald (see p. 14) ; but for some cause or other the making out of the patent had been neglected or omitted till 1647. It would almost seem that Charles, whilst a prisoner at Carisbrook, had some presentiment of his approaching fate, and had hastened to remedy the neglect before it was too late.

affection of Sir William Cochrane of Cowden towards his Majesty's service—and his Majesty being willing, for his further encouragement to continue therein, to bestow some token of his royal favor on him, hath given and granted to the said Sir William Cochrane and his heirs male lawfully begotten, the title and dignity of a Lord of Parliament within this kingdom, to be called in all time coming Lord Cochrane of Dundonald, and to have, exercise, and enjoy all the privileges, liberties, and pre-eminences belonging thereto, &c. &c. In token whereof, Archibald Marquis of Argyll, President of the Council at this time deliberate—in the name of Lord Cochrane—received the same on his knees," &c. &c.
—Extractum de Libris Actorum.

It is not my intention to dilate upon the course pursued by Lord Cochrane, in promoting the reconciliation of Charles and his hereditary liegemen. Suffice it to say that, whilst his lordship's predilections and services were in favour of the constitutional power of the king, he made a firm stand against his despotic tendencies, especially when meditating the subversion of the Scottish Church, under the guise of ecclesiastical reform.*

In the national struggle which ensued after the death of Charles I. Lord Cochrane was amongst the most active in raising troops to assert the rights of Charles II. to the throne. The subjoined letter from that monarch, divested of its antique orthography, will show the nature of the services rendered.

“CHARLES R.

“Right trusty and well-beloved—we greet you well. We have seen your letter to the Duke of Hamilton, whom you give no encouragement; so hope that sometime you, with the horse raised upon the baronies of Ayr and Renfrew, shall soon be in arms.

“Having been engaged to give to General-Major Vandrosk the first regiment of horse raised within our kingdom of Scotland, we could not possibly break our promise to so deserving a person. But seeing your brother was appointed to have the command of one of the regiments of foot before they were converted into horse, he will now be disappointed, as likewise will Col. Cunninghame, of their expectations. We have, therefore, thought fit to desire you to shift your brother up to the army to us, and we do oblige ourselves to take him into our particular favor, and to give him the command of a regiment either of horse or foot.

“We likewise find you desire the removing of the garrison from Newark, but having advised twice with our Committee of Estate, we find it is not for the good of the service to remove the said garrison; but we are content that the strength be reduced to the number of threttie soldiers only.

“We shall desire that you would be assisted in hasting these levies,

* “Charles and Laud determined to force on the Scots the English Liturgy—or rather a liturgy which, whenever it differed from that of England, differed, in the judgment of all rigid Protestants, for the worse.”—*Lord Macaulay.*

and continue in your barony all public despatch, so as you may be in continual receipt of our respects to you.

“So we bid you now heartily farewell, from our Camp Royal at Woodhend, the fifth of August, 1651.

“To our right trusty and well-beloved,
the Lord Cochrane.”

The preceding letter marks the dawn of that ingratitude towards his tried adherents of which Charles has been, not without reason, accused. Lord Cochrane's reward for raising “the first regiment of horse in Scotland” was the displacement of his brother from the command, in favour of a Dutchman; notwithstanding that the whole expenditure had been borne by his lordship, whose fate it subsequently was that the Stuarts should draw largely upon resources which, to the injury of his descendants, his loyalty ungrudgingly supplied.

Passing over the defeat which followed, I select from others a letter addressed by Charles, when in exile, to Lord Cochrane, under the assumed name of “Lenos and Richmond;” its purport being to show that the unfortunate royal family depended upon Lord Cochrane's management not only for advice, but, what was more to the purpose, for the means of subsistence.

“February 2nd, 1657.

“MY LORD,—I find myself very much obliged to your lordship by your great care of my dear son's interests and mine, and have seen your letter concerning the gentleman recommended for a commissioner, who, though a stranger to me—yet, since it is the opinion of your lordship that he be added to the number of the commissioners, I do in this, as in all other things, hearken to your lordship's advice; relying on your lordship's favour to me, and therefore do hereby invite him, if he will accept the trouble, with many thanks to your lordship and to him.

“I must further beseech of your lordship to intend the raising five thousand pounds upon Glasgow, and to labour the sale of Methuen and Killmorocate, both with all possible expedition.*

“I hope to have the happiness of seeing your lordship in these parts ere long, that I may have a larger conveniency of making my acknowledgments to your lordship for your eminent favour to

“Your lordship's most humble servant,

“C. R. LENOS and RICHMOND.

“For my Lord Cochrane.”

Whether Lord Cochrane visited the exiled court or not, I have no documents to decide; nor is it at all material; these letters being adduced to show the nature of his connection with the

* This letter appears to mix up the affairs of Charles and the Duke, probably with a view to avert danger to Lord Cochrane, if intercepted.

Stuarts in their day of humiliation, which only appeared to add to his zeal for their welfare.

The "son" alluded to in the preceding letter was the Duke of Monmouth,* for espousing whose cause, in the subsequent reign of James II., the Cochrane family suffered severely.

Soon after the Restoration in 1660, Lord Cochrane was sworn a privy councillor; and by his Majesty's special choice was constituted one of the Commissioners of the Treasury and Exchequer, which great and weighty employment, says Crawford, "he discharged with admirable prudence and integrity, to the general satisfaction of the whole nation. Increasing still more in wealth and honour, he acquired the lordship of Paisley, where he fixed his seat, and lived with great splendour and hospitality for many years. After the barbarous murder of the late king, his lordship contributed his best and hearty endeavours towards bringing home Charles II. to inherit the rightful possession of the throne of these realms; which, no doubt, was the cause, when Oliver Cromwell came to be called Protector, why he fined my Lord Cochrane, among other royalists, in 5000*l*. sterling, by special ordinance of the Commonwealth of England, dated April 12th, 1654."

The following letters from the Dukes of Lennox and Monmouth are still in my possession, and from historic interest alone require no apology for their introduction in this place.

"London, Dec. 27, 1662.

"MY LORD,—I received a discharge from your lordship, which being ill-drawn, I have forborne to sign it; but shall readily perform it so soon as it comes to my hands corrected by Mr. Graham.

"I must intreat of your lordship's endeavours to raise fifteen hundred pounds upon the two years' rent of Jyla and my other lands for the year 1661; with which I would desire your lordship to discharge the six hundred pounds you borrowed for me when I was at Edinburgh, and the seven hundred pounds I borrowed of Sir James Stuart at the same time. The rest to be returned to me, who am

"Your lordship's humble servant,

"For my Lord Cochrane."

"LENOS and RICHMOND.

"P.S.—I desire your lordship to excuse my own writing, for nothing but illness should make me make use of another."

* "Charles, when a wanderer on the Continent, had fallen in at the Hague with Lucy Walters, a Welsh girl of great beauty, but of weak understanding. She became his mistress, and presented him with a son, upon whom he poured forth such an overflowing fondness as seemed hardly to belong to his cool and careless nature. Soon after the Restoration the young favourite made his appearance at Whitehall, where he was lodged in the palace and permitted to enjoy distinctions till then confined to princes of the blood royal."—*Lord Macaulay*.

“London, Feb. 26th, 1663.

“MY LORD,—Give me leave to add this trouble to your lordship's favours, in desiring that you will be pleased to send me a full account of all you know of the condition of my affairs in Scotland. And wherein and how you conceive any part of my estate proper or casual may be better improved to my advantage, with your lordship's advice for the management thereof for the future. If you know of any grants made by me to any person in Scotland when I was there, which may be prejudicial to or on my estates, you will be pleased to acquaint me with it; for I am resolved to repose all my confidence upon your lordship's directions, and to take measures of all the management of my affairs from them.

“I shall wholly trust to your lordship, and therefore entreat you will not impart this to anybody, but conceal the request of

“Your lordship's very humble servant,

“LENOS and RICHMOND.

“For my Lord Cochrane.”

“Whitehall, Aug. 25th, 1663.

“MY LORD,—I must desire your lordship to give yourself the trouble of sending me word how my engagements stand to my estate mortgaged in Scotland, that I may know whether it be convenient that the several persons to whom it is mortgaged should receive the profits of the lands mortgaged to them till both principal and interest is satisfied. Or whether it be convenient if one person, in the name of the rest, should receive the whole profits of the estate, and engage to pay all the debts, both principal and interest, in so many years, and then to return the estate to me again. I must beg your lordship's faithful advice in this, having found it so formerly. And, good, my lord, let me know in how many years my estate will pay the debt upon it, both principal and interest. I cannot believe anybody will be so warm in my concerns as yourself, and therefore wholly repose this trust in you, desiring you to send me in writing a conveyance of my estate to yourself for the payment of the debt in the aforesaid years, with the return of the estate into my hands, who am, my lord,

“Your lordship's most obliged servant,

“LENOS and RICHMOND.”

The following letter, written to Lord Cochrane after the removal of the Court to Oxford on account of the plague raging in London, will show the straits to which even the wealthiest of the Scottish nobility had been reduced.

“Oxford, November 11th, 1665.

“MY LORD,—I had written to your lordship before this had I not an intention of coming to Scotland myself. But being now prevented by other affairs, I must desire your lordship to make all the possible speed that may be to return me five hundred pounds out of the thousand pounds that are due to me.

“My lord, *I never was in a greater strait in my life*, the plague having

prevented my tenants' payment. If you ever did intend to oblige me, I am sure you could never have a better opportunity than making me a present payment.

"Good, my lord, do not fail me, who am

"Your most humble servant,

"RICHMOND and LENOS.

"For my Lord Cochrane."

"P.S.—My uncle Aubigny is very sick at Paris, and we expect to hear he is dead by every post,—the last letters assuring that he was past recovery."

"July, 1666.

"MY LORD,—I need not acquaint your lordship how great a confidence I have of your lordship's friendship and assistance. Having now sent Boreman into Scotland to attend and follow your lordship's directions, and my Lord Newburgh's, for the completing and settling the whole affairs of the Admiralty. If my Lord Macdonnel goes on in his intended bargain, I shall expect 6000*l.* to be paid and returned to me by Michaelmas. Please to remember the 100*l.* you reserved till Boreman's coming. I shall trouble your lordship with nothing more at present, but the assurance of being

"Your lordship's very humble servant,

"RICHMOND and LENOS.

"For my Lord Cochrane."

"London, 18th Sept. 1666.

"MY LORD,—Though I consider that 5000*l.* is too small a sum for so considerable and convenient an estate to my Lord Macdonald, yet I am satisfied to be ruled by the market and the exigency of my own affairs, but especially by your lordship's judgment and kindness, of which I have had so good experience.

"My lord, the sad accident of fire which hath lately happened in London *hath almost ruined us all*. I must therefore earnestly entreat you to return me what money you have in your hands of mine, with all possible speed, not knowing which way to turn myself at present, there being no such thing as money here. Pray, likewise hasten Boreman in returning what money is due to me on the prizes, in doing all which, you will very much oblige

"Your lordship's humble servant,

"RICHMOND and LENOS.

"For my Lord Cochrane, at Edinburgh."

I have purposely refrained from comment on these letters, as being foreign to the purpose of this introductory chapter, which is not to dilate on immaterial subjects, but simply to point out the connection of the Cochrane family with the Stuarts, and their faithful adherents. The subjoined, from the Duke of Monmouth, is also curious, as alluding to the disaster of invasion, in addition to those of plague and fire.

“June 28th, 1667.

“MY LORD,—So soon as I received your lordship’s of the 26th of May I was commanded by the king for Harwich, and have ever since been so hurried about in this confusion upon the arrival of the Dutch, that I have not had time to answer your lordship, to whom I do acknowledge myself very much obliged for your care of my affairs ; and if it lies in my power to acknowledge it otherwise than in words, your lordship shall ever find me really to be, my lord,

“Your lordship’s real friend and servant,

“MONMOUTH and BUCCLEUGH.

“These for my Lord Cochrane.”

On the 12th of May, 1669, Lord Cochrane was created Earl of Dundonald. The annexed is his Majesty’s order for the patent:—

“Our sovereign Lord, considering that it hath been always the ancient, constant, and worthy practice of all kings to confer titles and degrees of honour and dignity upon such of those subjects whose good services and worth have so deserved, and that his Majestie’s father of blessed memory did, in the year 1641, dignify and confer upon his right trusty and well-beloved William Lord Cochrane, the title of Lord Cochrane. And now his Majesty—in consideration of his faithful services, and for the better encouragement of him and his family to continue in their constant and affectionate adhering to his interest and service for the future—being graciously pleased to confer a further mark of his royal favour upon him, doth therefore, of his royal and princely power, ordain a letter patent to be made and decreed under the great seal of his ancient kingdom of Scotland, in due form, making, constituting, and creating the said William Lord Cochrane, and his heirs male, which failing, the oldest heirs female, without division, already procreate or to be procreate, of the body of the said William Lord Cochrane, &c. &c. &c., to be called and designed now and for ever hereafter Earl of Dundonald, Lord Cochrane of Paisley and Ochiltree,” &c. &c. (Then follow the usual technical formalities.)

“MAY IT PLEASE YOUR MAJESTY.—This contains your Majesty’s warrant for a patent to be passed under the great seal of Scotland, for creating William Lord Cochrane Earl of Dundonald, Lord Cochrane of Paisley and Ochiltree, with power, &c. &c. &c. For subscription.

“LAUDERDAILL.”

“Sit supra scribitur,

“CHARLES R.”

The subjoined letters from the Duke and Duchess of Monmouth, the latter the heiress of Buccleuch,* are not without historical interest.

* “Monmouth was married, while still in tender youth, to Anna Scott, heiress of the noble house of Buccleuch. He took her name, and received with her hand possession of her ample domains. The estate which he acquired by this match was popularly estimated at not less than 10,000*l.* a year.”—*Lord Macaulay.*

“Whitehall, May 2nd, 1671.

“MY LORD,—This is expressly to beg your lordship’s pardon, that I writ not to you by the person that brought you my commission concerning my lands, in which I was confident to put your lordship’s and Lord Cochrane’s names; being assured that neither yourself nor any of your family would deny me the favour of your assistance in the management of my estate, which I have now taken into my own possession, and hope to see the good effects of it. I beseech your lordship to give my service and excuse to my Lord Cochrane, and tell him I hope he will be no worse a friend to me than you have been, who, I must acknowledge, have obliged me ever to be, my lord,

“Your very humble servant,

“MONMOUTH and BUCCLEUCH.

“For Lord Dundonald.”

“Whitehall, May 25, 1671.

“MY LORD,—I know not how to express my thanks to your lordship for the the trouble I have put upon you in your journey to Braxholme, where your presence hath been of that advantage to my affairs, as could not, without you, have been expected. I thank your lordship most heartily for this and all other your kindnesses to me, and particularly your advice concerning Orkney, &c., and to refrain the signing of anything but what shall be most maturely advised by your lordship, and such other my friends to whose counsel and advice, as always faithful to me, I shall firmly adhere, and constantly remain, my lord,

“Your very affectionate friend and humble servant,

“MONMOUTH and BUCCLEUCH.

“For the Right Hon. the Earl of Dundonald.”

“Oct. 31, 1671.

“MY LORD,—Being very sensible of your constant care and industry to promote and advance all our interests in Scotland, and receiving daily demonstrations of your particular kindness and friendship to us, we are the more confident on all occasions to depend wholly upon you, for resolution in doubtful, and assistance in difficult cases, and do entreat your lordship to take them seriously into your consideration, and weighing all circumstances deal freely and candidly with us, and declare truly to us your opinion what you do conceive fit for us to do to extricate ourselves out of those dangers both we and our estate lie under.

“We are now both of us so near the time of our majority, and are told that it is very necessary for us to undertake a journey to Scotland this next spring. If your lordship be of the same judgment, we must (if possible) find out some expedient to effect it.

“My lord, we are informed that many of our late chamberlains are resolved to stand trial with us for 3000*l*. yet remaining in their hands upon the balance of their accounts, unless they may have such discharge as they please.

“We do, therefore, very earnestly recommend it to your lordship’s care to proceed vigorously against them, not only for that, but also for the great waste and destruction they have made of the woods. A

letter is also written to the Lord President Stair and the rest of the lords of the session's favour for a speedy dispatch of our concerns before them. We shall have the satisfaction that in the place where we have received so great obligations from your lordship and the rest of our friends—even there we shall express with much sincerity that we are, my lord,

“Your lordship's very affectionate and humble servants,

“BUCCLEUCH and MONMOUTH.

“ANNA BUCCLEUCH and MONMOUTH.

“For the Right Hon. the Earl of Dundonald.”

“March 14th, 1674.

“MY LORD,—The great assurance we have had of your affection and kindness to us, which upon all occasions you have given sufficient testimonies of in your adherence to and promoting our interest in Scotland, encourages us to entreat and, indeed, earnestlie to desire your continuance thereof, but especially at this time, when we find our tenants like to be ruined and undone by the severity of continued frost and snow. How mischievous the consequences thereof may be to us, we are not able at this distance to conjecture, only we have just reason to fear the worst.

“But we, depending very much if not solely upon your lordship's wisdom and good conduct at this juncture, and very well knowing how prevalent your countenance and authority will be among our tenants, and what encouragement they will receive from your presence, must needs desire and entreat your lordship that you will not fail to be at the next land settling, for it is your discretion and prudence that shall be our guide and measure in the regulation of our own interests, or that of any of our tenants who shall be held fit objects of our consideration and favour in so general a calamity, if they be recommended by your lordship unto, my lord,

“Your lordship's most affectionate friends and servants,

“BUCCLEUCH and MONMOUTH.

“ANNA BUCCLEUCH and MONMOUTH.

“For Lord Dundonald.”

“September 29th, 1674.

“MY LORD,—Upon all occasions my wife and I do receive new testimonies and proofs of your continued kindness to us, and of your unwearied care and industry to do all good offices which may anywise conduce to our profit and advantage. And, in truth, the great pains you have taken about our affairs, and the trouble you took upon you of an inconvenient journey to be at our land settling, are sufficient assurances of your zeal and affection for our welfare and prosperity, for which we owe you a particular acknowledgment. And I do assure your lordship, I am so extremely sensible of these and all other the kindnesses which you have done for us, that it shall never be my fault if I do not make it appear how much I am, my lord,

“Your lordship's most affectionate friend and servant,

“BUCCLEUCH and MONMOUTH.

“For Lord Dundonald.”

“Whitehall, March 19th, 1676.

“MY LORD,—We are truly sorry to understand by your letter that you are unable to ride by reason of your age and weakness, and that you cannot go all the way in your coach to our land settling. We know very well, and have had long and great experience, how useful you have been in that affair for many years together; and we may have just reason to fear that we may suffer very much by your absence from that service, so many of our lands lying at this time waste. The tenants will be apt to be discouraged, when they want your countenance, to whom they are so well known. But, my lord, we do not think it reasonable to press you with arguments to undertake anything, how necessary soever it may be for our service, if it be in the least prejudicial to your health and safety.

“Therefore, if your infirmities cannot well dispense with your own going that journey, we do entreat your lordship to prevail with your son, my Lord Cochrane, to supply your place. For we are very sure that there is not one related to you, but will have a great influence on our tenants; and, next to yourself, we can desire none more considerable than your son.

“We need not tell you how much the present necessity of our affairs requires all the prudence, all the countenance and authority, and all the diligence of ourselves, and of my lords, our commissioners, to bring our estate out of that waste, ruinous, and scandalous condition under which it hath lain, and we do know that your lordship will contribute as much pains, and be as instrumental to bring this to pass as any person whatsoever. And in this assurance we do subscribe ourselves, as in truth we are, my lord,

“Your lordship’s most affectionate friends and servants,

“BUCCLEUCH and MONMOUTH.

“ANNA BUCCLEUCH and MONMOUTH.

“For Lord Dundonald.”

The Earl of Dundonald was subsequently appointed by James the Second one of the Privy Council of Scotland. As the place from which the patent was dated, viz. Hounslow Heath, is of historical significance, I shall give the document entire:—

“JAMES R.

“Right trusty and right entirely-beloved cousin and councillor! Right trusty and right well-beloved cousin and councillor! Right trusty and entirely-beloved cousins and councillors! Right trusty and right well-beloved cousins and councillors! Right trusty and well-beloved cousins and councillors! Right trusty and well-beloved councillors, and trusty and well-beloved councillors!

“We greet you well.

“Whereas we are fully satisfied of the loyalty, abilities, and dutiful affection to our service, of our right trusty and well-beloved Earl of Dundonald, we have therefore thought fit to add him to our Privy Council of that our ancient kingdom, and do authorise and require you to admit him accordingly.

“And we do hereby dispense with him from taking the test, oath of allegiance, or any other oath, except that of Privy Councillor only.

For doing whereof this shall be your warrant, and to him a full and ample security.

"Given at our camp on Hounslow Heath, the 10th day of June, 1686, and of our reign the second year.

"By His Majesty's command,

"MELFORT."

In the subsequent rebellions of Argyle and Monmouth the Cochranes again suffered severely: John, the second son of the Earl of Dundonald, being deeply implicated therein, and only escaping with his life by the earl satisfying, first, the greed of James the Second's popish priests, and, secondly, that of James himself.

The annexed extracts from Burnet will show all that needs be said on this head:—

"Cochran, another of those who had been concerned in this treaty [as to an insurrection in Scotland], was complained of, as having talked very freely of the duke's government of Scotland. Upon which the Scottish secretary sent a note to him, desiring him to come to him; for it was intended only to give him a reprimand, and to have ordered him to go to Scotland. But he knew his own secret; so he left his lodgings, and got beyond sea. This showed the court had not yet got full evidence, otherwise he would have been taken up, as well as others were."—Vol. i. folio, p. 548.

"The deliberations in Holland, among the English and Scotch that fled thither, came to ripen faster than was expected. Lord Argile had been quiet ever since the disappointment in the year eighty-three. He had lived for most part in Frizeland, but came oft to Amsterdam, and met with the rest of his countrymen that lay concealed there; the chief of whom were the Lord Melvill, Sir Patrick Hume, and Sir John Cochran. [The first of these (Melvill) was a fearful and mean-spirited man, a zealous presbyterian, but more zealous in preserving his person and estate. Hume was a hot and eager man, full of passion and resentment; and instead of minding the business then in hand, he was always forming schemes about the modelling of matters, when they should prevail, in which he was so earnest, that he fell into perpetual disputes and quarrels about it; Cochran was more tractable.*] With these Lord Argile communicated all the advices that were sent to him."—On margin, "Argile designed to invade Scotland."—Vol. iii. 27; fol. vol. i. 632.

Argile landed in the Isle of Bute with his adherents. "He had left his arms in a castle, with such a guard as he could spare; but they were routed by a party of the king's forces. And with this he lost both heart and hope. And then, apprehending that all was gone, he put himself in a disguise, and had almost escaped; but he was taken. A body of gentlemen that had followed him stood better to it, and forced their way through, so that the greater part of them escaped. Some of these were taken; the chief of them were Sir John Cochran, Ailoffe,

* Original note.

and Rumbold. These last two were Englishmen ; but I knew not upon what motive it was that they chose rather to run fortunes with Argyle than with the Duke of Monmouth. Thus was this rebellion brought to a speedy end, with the effusion of very little blood.”—Vol. i. fol. p. 629.

“Cochran had a rich father, the Earl of Dundonald, and he offered the priests 5000*l.* to save his son. They wanted a stock of money for managing their designs, so they interposed so effectually that the bargain was made. But to cover it, Cochrane petitioned the Council that he might be sent to the king ; for he had some secrets of great importance which were not fit to be communicated to any but to the king himself. He was upon that brought up to London ; and after he had been for some time in private with the king, the matters he had discovered were said to be of such importance, that in consideration of that the king pardoned him. It was said he had discovered all their negotiations with the Elector of Brandenburg and the Prince of Orange. But this was a pretence only, given out to conceal the bargain ; for the prince told me he had never once seen him. The secret of this came to be known soon after.”—Vol. i. fol. 634.

Lord Macaulay’s account of the same event as regarded my ancestor, for it is from this Sir John Cochrane that the present branch of our family is descended, will complete all which is necessary to be alluded to in this place.

“With Hume (Sir Patrick) was connected another Scottish exile of great note, Sir John Cochrane, second son of the Earl of Dundonald. The great question was, whether the Highlands or the Lowlands should be the seat of war. The Earl (Argyle) wished to establish his authority over his own domains, and to take possession of the ancient seat of his family, at Inverary. But Hume and Cochrane were impracticable, seeing that amongst his own mountains and lakes, and at the head of an army of his own tribe, he would be able to bear down their opposition, and to exercise the full authority of a general. They said that the Campbells took up arms neither for liberty nor for the Church of God, but for Mac Callum More alone. Cochrane declared he would go to Ayrshire, if he went by himself, and with nothing but a pitch-fork in his hand. Argyle, after long resistance, consented, and Cochrane and Hume were at the head of a force to invade the Lowlands.

“Ayrshire was Cochrane’s object, and the coast was guarded by English frigates. A party of militia lay at Greenock, but Cochrane, who wanted provisions, was determined to land. Hume objected, but Cochrane was peremptory. Cochrane entered Greenock, and procured a supply of meal, but found no disposition to insurrection.

“Cochrane having found it impossible to raise the population on the south of the Clyde, rejoined Argyle in Bute. The Earl again proposed to make an attempt on Inverary, and again encountered pertinacious opposition. The seamen sided with Hume and Cochrane. The Highlanders were absolutely at the command of their chieftain.

* * * * *

“Cochrane was taken and sent to London He held amongst the Scotch rebels the same rank which had been held by Grey in the West of England. That Cochrane should be forgiven by a prince vin-

dictive beyond all example seemed incredible. But Cochrane was the younger son of a rich family; it was, therefore, only by sparing him *that money could be made out of him*. His father, Lord Dundonald, offered a bribe to the priests of the royal household, and a pardon was granted."

The history of the succeeding Earls of Dundonald, down to the failure of issue in the first branch, is thus detailed by Crawford.

"William, first Earl of Dundonald, married Euphémie, daughter of Sir William Scot of Ardross, *in comitatu de Fife*, by whom he had two sons and a daughter.

"1. William Lord Cochran, who dyed in the flower of his Age, Anno 1680, leaving Issue by the Lady Catherine his Wife, Daughter of John Earl of Cassils, John who succeeded his Grand-father in the Honour, William Cochran, of Kilmar o nock, a Member of Parliament for the Burgh of Wigtoun, and the other towns in that District and one of the Commissioners for keeping her Majesty's Signet, Sir Alexander Erskin, Lord Lyon, and John Pringle, of Haining, being joined in Commission with him. He married Grisel, Daughter of James, second Marquis of Montrose, and has issue; Thomas Cochran of Polkely, third Son, dyed without children; Alexander Cochran, of Bonshaw, the youngest; also three Daughters; 1st. Margaret, married to Alexander Earl of Eglington. 2nd. Helen, to John Earl of Sutherland. 3rd. Jean, to John Viscount of Dundee, and afterward to William Viscount of Kilsyth.

"2nd son, Sir John Cochran of Ochiltree, in Air-shire, Likewise a Daughter Grisel, married to George Lord Ross.

"This Earl gave way to Nature in the spring of the Year 1686, and was by his own Direction interr'd in the Paroch Church of Dundonald, without any Funeral Monument, but upon his Escutcheon I find the Arms of these noble and ancient Families.

"PATERNAL SIDE.

"Cochran of that Ilk.

"Lord Semple.

"Cunningham of Glengarnock.

"Lord Cairlyle of Torthorald.

"MATERNAL SIDE.

"Cochran of that Ilk.

"Montgomery of Skelmurly.

"Lindsay of Dunrod.

"Lord Semple.

"To William Earl of Dundonald succeeded John his Grandson and Heir, a nobleman of great Goodness and excellent Parts; he dyed in the prime of his Years, Anno 1691, regrated by all those who knew him, leaving Issue by the Lady Susanna his Wife, Daughter of William Duke of Hamilton, two Sons, William who succeeded in the Honours, but dyed unmarried the 19th of November 1705. And

"John married Anne Daughter of Charles Earl of Dunmore, a Lady who wanted no Vertue to make her an acceptable Wife; she dyed in 1711, universally lamented, whose Conduct in all Conditions of Life

render'd her Loss a lasting Grief to her Relations, he had by her a Son and three Daughters.

“ William Lord Cochran,

“ Lady Anne,

“ Lady Catherine,

“ Lady Susanne.

“ ARMS.

“ Argent, a chiveron ; Gules, betwixt three Boars' Heads, Azure, supported by two Ratch Hounds of the first ; Crest, a Horse, Argent, Motto, Virtute et Labore.”

CHAPTER I.

MY BOYHOOD, AND ENTRANCE INTO THE NAVY.

Younger branch succeeds to earldom.—Alienation of family estates.—My father's scientific pursuits.—His ruinous manufacturing projects.—A neglected discovery.—Communicated to James Watt.—Lord Dundonald's agricultural works still held in estimation.—Early reminiscences.—My first visit to London.—My father destines me for the army.—A commission procured.—My aversion to the military profession.—Our return to Scotland.—I am permitted to enter the navy.

My birth is recorded as having taken place on the 14th of December, 1775, at Annsfield in Lanarkshire. My father was Archibald, ninth Earl of Dundonald ; my mother, Anna Gilchrist, daughter of Captain Gilchrist, a distinguished officer of the Royal Navy.*

My father was descended from John, the younger son of the first earl—noticed in the introductory chapter as the compatriot of Argyll. On default of issue in the elder branch of the family the title devolved on my grandfather, Thomas, who married the daughter of Archibald Stuart, Esq., of Torrence, in Lanarkshire,

* One action of my maternal grandfather is worthy of record. On March 28th, 1758, upwards of a century ago, he commanded the ‘Southampton,’ 32, and when in company with the ‘Melampe,’ 24, Captain Hotham, fell in with two French frigates off Yarmouth. The ‘Melampe,’ being the faster sailer, came up first, and was so disabled that she fell astern before the ‘Southampton’ got within range. On the ‘Melampe’ falling off, one of the frigates made sail, and got away. The ‘Southampton’ then engaged the other, and after a six hours' contest, carried on with equal bravery on both sides, she boarded and captured the ‘Danaë,’ of 40 guns and 340 men, commanded by one of the bravest officers in the French navy.

The loss of the ‘Danaë’ was her first and second captains, and eighty men killed. The ‘Southampton’ had only one killed and ten wounded ; amongst whom was my grandfather, whose shoulder was shattered by a grape-shot.

and had issue one daughter and twelve sons, the most distinguished amongst whom, in a public capacity, was Admiral the Honourable Sir Alexander, father of the present Admiral Sir Thomas Cochrane.*

Some of my father's earlier years were spent in the navy, in which he became acting lieutenant. A cruise on the coast of Guinea gave him a distaste for the naval profession, which, in after years, postponed my entrance therein far beyond the usual period. On his return home he quitted the navy for a commission in the army, which was, after a time, also relinquished.

Of our once extensive ancestral domains I never inherited a foot. In the course of a century, and before the title descended to our branch, nearly the whole of the family estates had been alienated by losses incurred in support of one generation of the Stuarts, rebellion against another, and mortgages, or other equally destructive process,—the consequence of both. A remnant may latterly have fallen into other hands from my father's negligence in not looking after it, and his unentailed estates were absorbed by expensive scientific pursuits presently to be noticed. So that my outset in life was that of heir to a peerage, without other expectations than those arising from my own exertions.

My father's day was that of Cavendish, Black, Priestley, Watt, and others, now become historical as the forerunners of modern

* Thomas Cochrane, eighth Earl of Dundonald, was a major in the army, and M.P. for Renfrewshire. He died in 1778, at the age of eighty-seven, and was married, first, to Elizabeth, daughter of James Kerr, Esq. of Moris Town, Berwickshire, by whom he had two children, Thomas, who died young, and a daughter, Grizel, who died unmarried.

By his second countess, he had issue—1. Argyle, died in infancy; 2. Archibald, my father, died in 1823; 3. Charles, a colonel in the army, killed in 1781, at York Town, in Virginia, during the American war of Independence; 4. John, died in 1802; 5. James Athol, rector of Mansfield in Yorkshire; 6. Basil, in the civil service of the East India Company; 7 and 8. Thomas and George, died young; 9. Alexander Forrester, Knight of the Bath and Rear-admiral in the navy; 10. ———, died young; 11. George Augustus Frederick, M.P. for Grampound; 12. Andrew, also M.P. for Grampound, who, on his marriage, assumed the surname of Johnstone, and was the father of the present dowager Lady Napier, relict of the late Lord Napier; 13. Elizabeth, married to Patrick Heron, Esq. of Heron.*

The issue of my father Archibald, ninth Earl of Dundonald, was as follows: 1. myself; 2. a daughter, died young; 3. James, died young; 4. Basil, lieutenant-colonel of the 36th Regiment; 5. William Erskine, major in the 15th Light Dragoons, my only surviving brother; 6. Archibald, captain in the Royal Navy; 7. Charles, died young.

practical science. Imbued with like spirit, and in intimate communication with these distinguished men, he emulated their example with no mean success, as the philosophical records of that period testify. But whilst they prudently confined their attention to their laboratories, my father's sanguine expectations of retrieving the family estates by his discoveries led him to embark in a multitude of manufacturing projects. The motive was excellent ; but his pecuniary means being incommensurate with the magnitude of his transactions, its object was frustrated, and our remaining patrimony melted like the flux in his crucibles ; his scientific knowledge, as often happens, being unaccompanied by the self-knowledge which would have taught him that he was not, either by habit or inclination, a "man of business." Many who were so knew how to profit by his inventions without the trouble of discovery, whilst their originator was occupied in developing new practical facts to be turned to their advantage and his consequent loss.

An enumeration of some of my father's manufacturing transactions, extensively and simultaneously carried on, will leave no doubt as to their failure in a pecuniary sense. First, the preparation of soda from common salt, as a substitute for *barilla*,—till then the only alkali available for soap and glass making. Secondly, a manufactory for improvement in the production of *alumina*, as a mordant for silk and calico printers. Thirdly, an establishment for preparing British gum as a substitute for *gum Senegal*, these products being in use amongst calico-printers to the present day ; the latter especially being at that distant period of great utility, as the foreign gum was scarce and expensive. A fourth manufactory had for its object the preparation of *sal ammoniac*. At a fifth was carried on the manufacture of *white lead*, by a process then new to productive science. A sixth establishment, on a ruinous scale as compared with his resources, was for a new process of extracting tar and other products from pit-coal ; the former as an effective agent in protecting timber from decay, whilst the refuse coke was in request amongst ironfounders, whose previous operations for its manufacture were wasteful and unsatisfactory.*

* Whilst serving on the west coast of Africa, my father remarked the destructive ravages made on ships' bottoms by worms, and, from his chemical knowledge, it occurred to him that an extract from pit-coal, in the form of tar, might be employed as a preventive of the evil. On his return home, the experiment was tried, and found to answer perfectly. Notwithstanding the

After this enumeration, it is unnecessary to dilate on its ruinous results. It is simply the old adage of "too many irons in the fire." One by one his inventions fell into other hands, some by fair sale, but most of them by piracy, when it became known that he had nothing left wherewith to maintain his rights. In short, with seven children to provide for, he found himself a ruined man.

In the present state of manufacturing science, by which the above objects are accomplished through improved means, the mention of such matters may, at first sight, appear unnecessary. Yet, seventy years ago they bore the same relation to the manufacturing processes of our time as at that period did the crude attempts at the steam engine to its modern perfection. In this point of view—which is the true one—reference to my father's patents, though now superseded by improvements, will fairly entitle him to no mean place amongst other inventors of his day, who deservedly rank as benefactors to their country.

One of my father's scientific achievements must not be passed over. Cavendish had some time previously ascertained the existence of hydrogen. Priestley had become acquainted with its inflammable character; but the Earl of Dundonald may fairly lay claim to the practical application of its illuminating power in a carburetted form.

In prosecution of his coal-tar patent, my father went to reside at the family estate of Culross Abbey, the better to superintend the works on his own collieries, as well as others on the adjoining estates of Valleyfield and Kincardine. In addition to these works, an experimental tar-kiln was erected near the Abbey, and here coal-gas became accidentally employed in illumination. Having noticed the inflammable nature of a vapour arising during the distillation of tar, the Earl, by way of experiment, fitted a gun-barrel to the eduction pipe leading from the condenser. On applying fire to the muzzle, a vivid light blazed forth across the waters of the Frith, becoming, as was afterwards ascertained, distinctly visible on the opposite shore.

Strangely enough, though quick in appreciating a new fact, Lord Dundonald lightly passed over the only practical product which might have realized his expectations of retrieving the

subsequent refusal of the Admiralty to make use of his preservative, it was at once adopted by the Dutch and elsewhere in the North, and in the case of small coasting vessels is to this day used in our own country, as less expensive than coppering. Had not the coppering of vessels become common shortly afterwards, the discovery must have proved of incalculable value.

dilapidated fortunes of our house; considering tar and coke to constitute the legitimate objects of his experiments, and regarding the illuminating property of gas merely as a curious natural phenomenon. Like Columbus, he had the egg before him, but, unlike Columbus, he did not hit upon the right method of setting it on end.

The incident just narrated took place about the year 1782, and the circumstances attending it are the more vividly impressed on my memory from an event which occurred during a subsequent journey with my father to London. On our way we paid a visit to James Watt, then residing at Handsworth, near Birmingham, and amongst other scientific subjects discussed during our stay were the various products of coal, including the gas-light phenomenon of the Culross Abbey tar-kiln. This gave rise to some interesting conversation, which, however, ended without further result.

Many years afterwards, Mr. Murdoch, then one of Watt's assistants at Soho, applied coal-gas to the illumination of that establishment, though even with this practical demonstration its adoption for purposes of general public utility did not keep pace with the importance of the fact thus successfully developed, until, by the persevering endeavours of Mr. Winsor, its advantages overcame prejudice.*

It is no detraction from Mr. Murdoch's merit of having been the first to turn coal-gas to useful account, to infer that Watt might, at some period during the interval, have narrated to him the incident just mentioned, and that the fact accidentally developed by my father had thus become the subject of long and careful experiment; for this must have been the case before the complete achievement shone forth in perfection. Mr. Murdoch, so far as I am aware, never laid claim to a discovery of the illuminating property of coal-gas, but to its useful application only, to which his right is indisputable. As it is not generally known to whom an earlier practical appreciation of gas-light was in reality due, I have placed these facts on record.

* A paper on the "Utility and Advantages of Gas-lights," written by Mr. Murdoch, and transmitted by him to Sir Joseph Banks, was read before the Royal Society on the 25th of February, 1808, detailing the lighting of Messrs. Phillips and Lee's manufactory at Manchester, and describing the process of gas-manufacture. In this paper Mr. Murdoch alludes to a memorial presented by Mr. Winsor to George III., pointing out the utility of gas for lighting the public streets, &c.

One notice more of my father's investigations may be permissible. To Sir Humphry Davy is usually ascribed the honour of first pointing out the relation between Agriculture and Chemistry. Reference to a work published in 1795, entitled "*A Treatise showing the intimate connection between Agriculture and Chemistry, by the EARL OF DUNDONALD,*" will decide the priority. Davy's work may in a theoretical point of view surpass that of my father, inasmuch as the analytical chemical science of a more modern date is more minute than that of the last century; but in point of patient investigation from countless practical experiments, my father's work is more than equal to that of his distinguished successor in the same field, and is, indeed, held in no small estimation at the present time.*

The reader will readily pardon me for thus devoting a few pages by way of a tribute to a parent, whose memory still exists amongst my most cherished recollections; even though his discoveries, now of national utility, ruined him, and deprived his posterity of their remaining paternal inheritance.

During boyhood we had the misfortune to lose our mother,† and as our domestic fortunes were even then at a low ebb, great difficulty was experienced in providing us with the means of education—four of us being then at an age to profit by more ample opportunities. In this emergency, temporary assistance was volunteered by Mr. Rolland, the minister of Culross, who thus evinced his gratitude for favours received in the more auspicious days of the family. Highly as was the offer appreciated, family pride prevented our reaping from it the advantage contemplated by a learned and truly excellent man.

Perceiving our education imperilled, the devotedness of my maternal grandmother, Mrs. Gilchrist, prompted her to apply her small income to the exigencies of her grandchildren. By the aid thus opportunely afforded, a tutor was provided, of whom

* I may mention three points contained in this work, to the discovery of which claim has been laid by modern writers, viz. the malting of grain for the purpose of feeding cattle, the converting of peat moss into good soil, and the benefit of a judicious use of salt refuse as a manure; the latter suggestion being made by my father in a treatise published in 1785, nearly seventy-five years ago. Other discoveries might be enumerated, but from those adduced it will be seen that most of my father's experiments were far in advance of the age in which he lived. With slight modifications only, not a few rank as modern discoveries, though little more than plagiarisms without acknowledgment.

† Anna, Countess of Dundonald, died at Brompton on the 13th of November, 1784.

my most vivid recollection is a stinging box on the ear, in reply to a query as to the difference between an interjection and a conjunction; this solution of the difficulty effectually repressing further philological inquiry on my part.

We were, after a time, temporarily provided with a French tutor, a Monsieur Durand, who, being a Papist, was regarded with no complacent eye by our not very tolerant Presbyterian neighbours. I recollect this gentleman getting into a scrape, which, but for my father's countenance, might have ended in a Kirk Session.

As a matter of course, Monsieur Durand did not attend church. On one side of the churchyard was the Culross Abbey cherry-garden, full of fine fruit, of which he was very fond, as were also the magpies, which swarmed in the district. One Sunday, whilst the people were at church, the magpies, aware no doubt of their advantage, made a vigorous onslaught on the cherries—provoking the Frenchman, who was on the watch to open fire on the intruders from a fowling-piece. The effect of this reached farther than the magpies. To fire a gun on the Sabbath was an abomination which could only have emanated from a disciple of the Scarlet Lady, and neither before nor after did I witness such a hubbub in the parish. Whatever pains and penalties were to be found in Scottish church law were eagerly demanded for Monsieur Durand's benefit, and it was only by my father's influence that he was permitted to escape the threatened martyrdom. Annoyed at the ill-feeling thus created, he relinquished his engagement before we had acquired the rudiments of the French language.

Even this inadequate tuition was abruptly ended by my father taking me with him to London. His object in visiting the metropolis was to induce the Government to make use of coal-tar for protecting the bottoms of inferior ships of war—for in those days copper-sheathing was unknown. The best substitute—by no means a general one—was to drive large-headed iron nails over the whole ship's bottom, which had thus the appearance of being "hobnailed." Even this indifferent covering was accorded to superior vessels only, the smaller class being entirely left to the ravages of the worm. It was for the protection of these small vessels that my father hoped to get his application adopted, and there is no doubt of the benefit which would have resulted had the experiment been permitted.

But this was an innovation, and the Board of Admiralty being

then, as too often since, opposed to everything inconsistent with ancient routine, refused to entertain his proposal. It was only by means of political influence that he at length induced the Navy Board to permit him, at his own expense, to cover with his composition one side of the buoy at the Nore. The result was satisfactory, but he was not allowed to repeat the process. As compared with the exposure at that time of ships' bottoms to rapid destruction, without any effort to protect them, my father's plan was even a greater improvement than is the modern substitution of copper-sheathing for the "hobnail" surface which it tardily superseded.

Failing to induce the Government to protect their ships of war, he applied to the mercantile interest, but with no better success. I remember going with my father to Limehouse, in the hope of inducing a large shipbuilder there to patronise his composition; but the shipbuilder had even a greater horror of innovation than the Admiralty authorities. His reply was remarkable. "My lord," said he, "we live by repairing ships as well as by building them, and the worm is our best friend. Rather than use your preparation, I would cover ships' bottoms with honey to attract worms!"

Foiled in London, my father set on foot agencies at the out-ports, in the hope of inducing provincial shipbuilders to adopt his preservative. Prejudice, however, was not confined to the metropolis, and the objection of the Limehouse man was everywhere encountered. Neither they, nor any artisans in wood, would patronise a plan to render their work durable.

Unsuccessful everywhere, my father turned his attention to myself. My destination was originally the army, whether accordant with my taste or not—for he was not one of those who considered it necessary to consult the inclinations of his children in the choice of a profession; but rather how he could best bring family influence to bear upon their future interests. Unfortunately for his passive obedience theory, my *penchant* was for the sea; any hint, however, to this effect was peremptorily silenced by parental authority, against which it was useless to contend.

My uncle, the Hon. Captain, afterwards Admiral, Sir Alexander Cochrane, had the sagacity to perceive that as inclination became more rooted with my growth, passive obedience on this point might one day come to an end. Still further, he was kind enough to provide against such contingency, should it arise. Unknown to my father, he had entered my

name on the books of various vessels under his command; so that, nominally, I had formed part of the complement of the 'Vesuvius,' 'Carolina,' 'La Sophie,' and 'Hind;' the object—common in those days—being, to give me a few years' standing in the service, should it become my profession in reality.

Having, however, a relative in the army, who possessed influence at the Horse Guards, a military commission was also procured for me; so that I had simultaneously the honour of being an officer in his Majesty's 104th Regiment, and a nominal seaman on board my uncle's ship.

By way of initiation into the mysteries of the military profession, I was placed under the tuition of an old sergeant, whose first lessons well accorded with his instructions, not to pay attention to my foibles. My hair, cherished with boyish pride, was formally cut, and plastered back with a vile composition of candle-grease and flour, to which was added the torture incident to the cultivation of an incipient *queue*. My neck, from childhood open to the lowland breeze, was encased in an inflexible leathern collar or stock, selected according to my preceptor's notions of military propriety; these almost verging on strangulation. A blue semi-military tunic, with red collar and cuffs, in imitation of the Windsor uniform, was provided, and to complete the *tout ensemble*, my father, who was a determined Whig partisan, insisted on my wearing yellow waistcoat and breeches; yellow being the Whig colour, of which I was admonished never to be ashamed. A more certain mode of calling into action the dormant obstinacy of a sensitive, high-spirited lad, could not have been devised than that of converting him into a caricature, hateful to himself, and ridiculous to others.

As may be imagined, my costume was calculated to attract attention, the more so from being accompanied by a stature beyond my years. Passing one day near the Duke of Northumberland's palace at Charing Cross, I was beset by a troop of ragged boys, evidently bent on amusing themselves at the expense of my personal appearance, and, in their peculiar slang, indulging in comments thereon far more critical than complimentary.

Stung to the quick, I made my escape from them, and rushing home, begged my father to let me go to sea with my uncle, in order to save me from the degradation of floured head, pig-tail, and yellow breeches. This burst of despair aroused the indignation of the parent and the Whig, and the reply was a

sound cuffing. Remonstrance was useless; but my dislike to everything military became confirmed; and the events of that day certainly cost his Majesty's 104th Regiment an officer, notwithstanding that my military training proceeded with redoubled severity.

At this juncture, my father's circumstances became somewhat improved by a second marriage,* so that my brother Basil and myself were sent to Mr. Chauvet's academy in Kensington Square, in order to perfect our military education—Basil, like myself, being destined for the army. At this excellent school we only remained six months; for with slightly increased resources my father resumed his ruinous manufacturing pursuits, so that we were compelled by the "*res angusta domi*" to return to Scotland.†

Four years and a half were now wasted without further attempt to secure for us any regular training. We had, however, during the short advantage enjoyed at Kensington, studied diligently, and were thus enabled to make some progress by self-tuition, our tutor's acquirements extending only to teaching the rudiments to the younger branches of the family. Knowing that my future career depended on my own efforts, and more than ever determined not to take up my military commission, I worked assiduously at the meagre elements of knowledge within my reach, in the hope that by unremitting industry my father might be convinced that opposition to his views was no idle whim, but the result of conviction that I should not excel in an obnoxious profession.

* My father's second countess was Mary, daughter of Samuel Raymond, Esq., and relict of the Rev. Mr. Mayne. This lady died, without issue, in December, 1808.

† Lord Dundonald about this time entered upon a series of experiments which, as usual, were productive of more benefit to his country than himself; viz. an improved mode of preparing hemp and flax for the manufacture of sailcloth. For this he subsequently took out a patent, and submitted his process, together with samples of the manufacture, to the Admiralty. So sensible was the Board of the advantages of the plan, that it was subsequently stipulated in every contract that hemp should be steeped and boiled in the way recommended in his lordship's patent. Since that period, the use of sailcloth so manufactured has become general. Formerly, it was sold by weight, the worthless material of which it was composed being saturated with a composition of flour and whitening, so that the first shower of rain on a new sail completely white-washed the decks. Of so flimsy a nature were the sails when this composition was washed out, that I have taken an observation of the sun through the foretopsail, and brought it to a horizon through the foresail.

with my progress, and finding my resolution in the naval service unalterable, he at length consented that my commission should be cancelled, and that the renewed request of my uncle to receive me on board his frigate should be refused.

The difficulty was to equip me for sea, but it was obviated by the Earl of Hopetoun considerably advancing 100*l.* for the purpose. With this sum the requisite outfit was procured, and a few days placed me in a position to seek my fortune, with my father's gold watch as a keepsake—the only patrimony I ever inherited.

The Dowager Countess of Dundonald, then meditating a journey to London, offered to take me with her. On our arrival in the metropolis, after what was at that time the formidable achievement of a tour through Wales, her ladyship went to reside with her brother, General James Stuart, in Grosvenor Street; but, anxious to become initiated in the mysteries of my profession, I preferred going on board the 'Hind' at Sheerness; joining that ship on the 27th of June, 1793, at the mature age, for a midshipman, of seventeen years and a half.

CHAPTER II.

CRUISE OF THE 'HIND.'

A lieutenant of the old school.—His ideas on sea-chests.—Dockyards sixty years ago.—Prize-money, the leading motive of seamen.—Voyage to Norway.—Norwegian customs.—A midshipman's grievances.—A parrot turned boatswain.—Ineffective armaments.—Men before dockyards.—Training of officers.

My kind uncle, the Hon. John Cochrane, accompanied me on board the 'Hind' for the purpose of introducing me to my future superior officer, Lieutenant Larmour, or, as he was more familiarly known in the service, Jack Larmour—a specimen of the old British seaman, little calculated to inspire exalted ideas of the gentility of the naval profession, though presenting at a glance a personification of its efficiency. Jack was, in fact, one of a not very numerous class, whom, for their superior seamanship, the Admiralty was glad to promote from the fore-castle to the quarter-deck, in order that they might mould into ship-shape the questionable materials supplied by parliamentary influence—even then paramount in the navy to a degree which

might otherwise have led to disaster. Lucky was the commander who could secure such an officer for his quarters.

On my introduction, Jack was dressed in the uniform of a seaman, with marlinspike slung round his neck, and a smudge of grease in his hand; and was busily employed in setting up the rigging. His reception of me was anything but graceful. Indeed, a tall fellow, over six feet high, the nephew of his captain, and a lord to boot, were not very promising recommendations for a midshipman. It is not impossible that he might have learned from my uncle something about a military commission of several years' standing; and this, coupled with my age and stature, might easily have impressed him with the idea that he had caught a scapegrace with whom the family did not know what to do, and that he was hence to be saddled with a "hard bargain."

After a little constrained civility on the part of the first lieutenant, who was evidently not very well pleased with the interruption to his avocation, he ordered me to "get my traps below." Scarcely was the order complied with, and myself introduced to the midshipman's berth, than I overheard Jack grumbling at the magnitude of my equipments. "This Lord Cochrane's chest? Does Lord Cochrane think he is going to bring a cabin aboard? The service is going to the devil! Get it up on the main-deck."

The order being promptly obeyed, amidst a running fire of similar objurgations, the key of the chest was sent for, and shortly afterwards the sound of sawing became audible. It was now high time to follow my property, which, to my astonishment, had been turned out on the deck—Jack superintending the process of sawing off one end of the chest just beyond the keyhole, and accompanying the operation by sundry uncomplimentary observations on midshipmen in general, and on myself in particular.

The metamorphose being completed to the lieutenant's satisfaction, though not at all to mine, for my neat chest had become an unshapely piece of lumber, he pointed out the "lubberliness of shore-going people in not making keyholes where they could be most easily got at," viz. at the end of a chest instead of the middle! The observation was, perhaps, made to test my temper, but, if so, it failed in its object. I thanked him for his kindness in imparting so useful a lesson, and left him evidently puzzled as to whether I was a cool hand or a simple one.

Poor Jack! his limited acquaintance with the world—which in his estimation, was bounded by the taffrail and the bowsprit—rendered him an indifferent judge of character, or he might have seen in me nothing but an ardent desire diligently to apply myself to my chosen profession—with no more pride in my heart than money in my pocket. A short time, however, developed this. Finding me anxious to learn my duty, Jack warmly took me by the hand, and as his only ideas of relaxation were to throw off the lieutenant and resume the functions of the able seaman, my improvement speedily rewarded my kind though rough teacher, by converting into a useful adjunct one whom he had, perhaps not unjustifiably, regarded as a nuisance. We soon became fast friends, and throughout life few more kindly recollections are impressed on my memory than those of my first naval instructor, honest Jack Larmour.

Another good friend in need was Lieutenant Murray, a son of Lord Dunmore, who observing that my kit had been selected rather with a regard to economy than fitness, kindly lent me a sum of money to remedy the deficiency.

The period at which I joined the service was that during which events consequent on the first French revolution reached a crisis, inaugurating the series of wars which for twenty years afterwards devastated Europe. Whatever might have been the faults of the British Government in those days, that of being unprepared for the movements of revolutionary neighbours was not amongst them, for the energy of the Government kept pace with the patriotism of the nation. That fearful system of naval jobbery, which unhappily characterized the subsequent progress of the war, crowding the seas with worthless vessels, purchased into the service in exchange for borough influence—had not as yet begun to thwart the unity of purpose and action by which the whole realm was at first roused into action.

With few of those costly appliances in the dockyards which at the present day absorb vast sums voted by the nation for the support of the navy, to the exclusion of its real strength—*trained men*—the naval ports presented a scene of activity in every way commensurate with the occasion by which it had been called into existence. Their streets abounded with seamen eager to share in anticipated prize-money—for whatever may be the ideas of modern statesmen on this subject, prize-money formed then, as it will ever form, the principal motive of seamen to encounter the perils of war.

On this point there is, at the present day, a tendency to dangerous doctrine; and a word respecting it will not be out of place. I have seen it openly proclaimed that seamen will fight for fighting's sake, and without expectation of reward. If the propounders of such an opinion were to ask themselves the question, whether they engage in professional or commercial pursuits from pure patriotism, and without hope of further remuneration, their own reply would show them the fallacy of ascribing to seamen a want of those motives which impel all men to adventure and exertion. Human nature is the same in all its grades, and will remain so, despite romantic notions of its disinterestedness and patriotism. The result of my own experience is, that seamen fight from two leading motives: 1st. Prize-money; 2nd. From a well-grounded belief in their own physical and disciplinary superiority, which refuses to be beaten, and is not satisfied with less than conquest. Take away the first motive, and we may find difficulty, on an emergency, in getting men to accomplish the second.

The bounty system, which has superseded the press-gang, is a direct proof of money being admitted as the seaman's inciting motive to engage in war. The press-gang itself was a no less decisive proof, for it rarely had to be resorted to, except in case of unpopular officers, inefficient vessels, or out-of-the-way stations, where the chances of prize-money were few. For ships commanded by well-known officers, and with a favourable chance of making prizes, the press-gang was unnecessary. This circumstance forms no indifferent comment on the real motives which induce seamen voluntarily to enter the service. On this most important subject more will be said hereafter.

To return to our cruise. The destination of the 'Hind' was the coast of Norway, to the *fiords* of which country the Government had reason to suspect that French privateers might resort, as lurking-places whence to annoy our North Sea and Baltic commerce. To ascertain this was our primary object. The second was to look out for an enemy's convoy, shortly expected from the West Indies by the northern route round the Orkneys.

We had not, however, the luck to fall in with either convoy or privateers, though for the latter every inlet was diligently searched. The voyage was, therefore, without incident, further than the gratifying experience of Norse hospitality and simplicity; qualities which, it is to be feared, may have vanished

before the influence of modern rapidity of communication, without being replaced by others equally satisfactory.

To us youngsters, this Norwegian trip was a perpetual holiday, for my uncle, though a strict disciplinarian, omitted no opportunity of gratifying those under his command, so that we spent nearly as much time on shore as on board; whilst the few hours occupied in running along the coast from one inlet to another supplied us with a moving panorama, scarcely less to our taste than were the hospitalities on shore.

Our great amusement was sleighing at racing speed, to the musical jingling of bells, without a sound from the catlike fall of the horse's feet on the snow. Other variations in the routine of pleasure were shooting and fishing, though these soon became secondary objects, as the abundance of fish and game rendered their capture uninteresting.

But the principal charm was the primitive aspect of a people apparently sprung from the same stock as ourselves, and presenting much the same appearance as our ancestors may be supposed to have done a few centuries before, without any symptoms of that feudal attachment which then prevailed in Britain. I have never seen a people more contented and happy not because their wants were few, for even luxuries were abundant, and in common use.

Much, however, cannot be said for Norwegian gallantry at that period. On one occasion my uncle took me to a formal dinner at the house of a magnate named Da Capa. The table literally groaned beneath the feast; but a great drawback to our enjoyment of the good things set before us, was that, during a five hours' succession of dishes, the lady of the house stood at the head of the table, and performed the laborious duty of carver throughout the tedious repast. Her flushed countenance after the intervals between the various removes, moreover, warranted the suspicion that the very excellent cookery was the result of her supervision. It is to be hoped that the march of civilisation has altered this custom for the better.

It is possible that these remarks may be considered somewhat profound for a midshipman of three months' standing; but it must be remembered that, from previous hard necessity, no less than maturity, they are those of a reflective midshipman. At any rate, the remarks were duly jotted down, and to this day their reperusal calls forth somewhat of the freshness of boyhood to a mind worn down, not so much with age as with unmerited

injuries, which have embittered a long life, and rendered even the failings of age premature.

From boyish impressions to a midshipman's grievances is but a step. At the first moment of my setting foot on board the 'Hind' it had been my determination never to commit an act worthy of punishment; but it was equally the determination of Jack Larmour to punish me for my resolution the first time he caught me tripping. This was certain, for Jack was open and above board, and declared that "he never heard of such a thing as a faultless midshipman!" For a long time he watched in vain, but nothing occurred more than to warrant his swearing twice as much at me as at any other of my messmates, Jack never troubling himself to swear at a waister. To use his own words, it "was expending wind for nothing."

One day, when his back was turned, I had stolen off deck for a few minutes, but only to hear on my return the ominous words, "Mast-head, youngster!" There was no alternative but to obey. Certainly not cheerfully—for the day was bitterly cold, with the thermometer below zero. Once caught, I knew my punishment would be severe, as indeed it was, for my sojourn at the mast-head was protracted almost to the limit of human endurance, my tormentor being evidently engaged in calculating this to a nicety. He never mast-headed me again.

By way of return for the hospitality of the Norwegian people, the frigate was freely thrown open to their inspection. On one of their frequent visits, an incident occurred not unworthy of record.

On board most ships there is a pet animal of some kind. Ours was a parrot, which was Jack Larmour's aversion, from the exactness with which the bird had learned to imitate the calls of the boatswain's whistle. Sometimes the parrot would pipe an order so correctly as to throw the ship into momentary confusion, and the first lieutenant into a volley of imprecations, consigning Poll to a warmer latitude than his native tropical forests. Indeed, it was only by my uncle's countenance that the bird was tolerated.

One day a party of ladies paid us a visit aboard, and several had been hoisted on deck by the usual means of a "whip" on the mainyard. The chair had descended for another "whip," but scarcely had its fair freight been lifted out of the boat alongside, than the unlucky parrot piped "*Let go!*" The order being instantly obeyed, the unfortunate lady, instead of being com-

fortably seated on deck, as had been those who preceded her, was soused overhead in the sea! Luckily for Poll, Jack Larmour was on shore at the time, or this unseasonable assumption of the boatswain's functions might have ended tragically.

On the return of the 'Hind' from Norway, my uncle was appointed to the 'Thetis,' a more powerful frigate; for though the 'Hind' carried 28 guns, they were only 9-pounders; an armament truly ridiculous as compared with that of frigates of the present day. It may almost be said, that the use of such an armament consisted in rendering it necessary to resort to the cutlass and boarding-pike—weapons to be relied on. Had such been the object of the Board of Admiralty as regarded the smaller class of frigates, it could not have been better carried out. The lighter class of vessels were even worse provided for. Seven years later a sloop was placed under my command, armed with 4-pounders only. One day, by way of burlesque on such an equipment, I walked the quarter-deck with a whole broadside of shot in my coat pockets.

The 'Thetis' was ordered to equip at Sheerness, and knowing that her first lieutenant, instead of indulging himself ashore, would pursue his customary relaxation of working hard aboard, I begged permission to remain and profit by his example. This was graciously conceded, on condition that, like himself, I would put off the officer and assume the garb of a seaman. Nothing could be more to my taste; so, with knife in belt and marlinspike in hand, the captain of the forecastle undertook my improvement in the arts of knotting and splicing; Larmour himself taking charge of gammoning and rigging the bowsprit, which, as the frigate lay in dock, overhung the common highway. So little attention was then paid to the niceties of dockyard arrangement.

Dockyards in those days were secondary objects. At Sheerness the people lived, like rabbits in a warren, in old hulks, hauled up high and dry; yet everything was well done, and the supervision perfect. It would be folly to advocate the continuance of such a state of things, yet it may be doubted whether the naval efficiency of the present day keeps pace with the enormous outlay on modern dockyards, almost (as it appears to me) to ignoring the training of men. I would rather see a mistake in the opposite extreme—men before dockyard conveniences; and am confident that had such been our practice, we should not have recently heard humiliating explanations, that we were

without adequate naval protection, and that our national safe depended on the forbearance of a neighbouring state.

Precision in stone and mortar is no more naval efficiency, th are the absurd coast fortifications (to which there is an eviden leaning) national safety. The true fortification of England is, always to be in a position to strike the first blow at sea the moment it may become necessary. To wait for it would, under any circumstances, be folly—to be unprepared for it, national suicide.

The service now seems to savour too much of the dockyard, and too little of the seaman. Formerly, both officers and men had to lend a hand in everything, and few were the operations which, unaided by artificers, they could not perfectly accomplish. On two occasions my own personal skill at pump-work has saved ships and crews, when other assistance was not available.

The modern practice is to place ships in commission with everything perfect to the hands of the officers and crew, little being required of them beyond keeping the ship in order whilst at sea. The practice is to a certain extent praiseworthy; but it has the disadvantage of impressing officers with the belief that handicraft skill on their part is unnecessary, though in the absence of practically acquired knowledge it is impossible even to direct any operation efficiently.

Without a certain amount of this skill, as forming an important part of training, no man can become an efficient naval officer. It would be gratifying to me should these remarks lead to inquiry on the subject. I must confess my inability to peruse the accounts of inexperience in the fleet at the outbreak of the late war with Russia, without grave misgivings that the supervision of the navy in the present day is not that of old time.

CHAPTER III.

THE VOYAGE OF THE 'THETIS.'

Voyage in the 'Thetis.'—Icebergs.—I am made acting lieutenant.—I am ordered to join the 'Thetis.'—Pass examination for lieutenant.—Captain Cochrane's capture of French store-ships.—My appointment to the 'Resolution.'—Admiral winters in the Chesapeake.—An undignified encounter.—A dinner ashore.—Harsh treatment of the Americans.—Their complaints.—Return of the 'Thetis' to England.

As soon as the 'Thetis' had obtained her complement, she was ordered to join the squadron of Admiral Murray, which was

being fitted out for North America; whither, soon after the declaration of war against England by the French Convention, the Government had despatched orders to seize the islands of St. Pierre and Miquilon, previously captured from the French in 1778, but restored at the termination of the American war.

It was in order to regain these islands, and for the protection of our commerce and fisheries generally, that a stronger force on the Nova Scotia station was deemed essential. The conduct of the American people was doubtful, as, from the assistance rendered by the French in the War of Independence, and still more from the democratic institutions recently established in France, little doubt existed that their leaning would be upon the side of the enemy. The United States Government, however, did all in its power to preserve neutrality by proclamations and addresses, but as its authority was little more than nominal throughout the various states, a disposition on the part of American shipowners to assist the French in providing stores of every kind was manifested very soon after the declaration of war. On our return from Leith to Plymouth to join the admiral, we detained several American vessels laden with corn and other provisions for French ports; one of the objects of Admiral Murray's squadron being to intercept traffic of this nature.

The squadron sailed from Plymouth; and when about midway across the Atlantic an incident occurred worth relating, as bearing upon a conjecture made a few years ago, by the master and passengers of a merchant vessel, regarding some vessels, supposed, though erroneously, to form part of Sir John Franklin's expedition.

One night, finding the temperature of the atmosphere rapidly decreasing, the squadron was proceeding under easy sail, with a vigilant look-out for icebergs. At dawn we were close to a block of these, extending right across our path as far as the eye could reach. The only alternative was to alter our course and pass to leeward of the group, to which, from the unwonted sublimity of the sight, we approached as nearly as seemed consistent with safety. The appearance of icebergs is now so well known that it would be superfluous to describe them. I shall only remark that on passing one field of great extent we were astonished at discovering on its sides three vessels, the one nearest to us being a polacca-rigged ship, elevated at least a hundred feet; the berg having rolled round or been lightened by melting, so that the vessel had the appearance of being on a hill forming the

southern portion of the floe. The story of two vessels answering the description of Sir John Franklin's ships having a few years ago been seen on an iceberg was scarcely credited at the time, but may receive corroboration from the above incident.

Nothing can exceed the extraordinary aspect of these floating islands of ice, either as regards variety of form, or the wonderful display of reflected light which they present. But, however they may attract curiosity, ships should always give them a wide berth, the indraught of water on their weather side being very dangerous. A singular effect was experienced as we passed to leeward of the field ; first, the intense cold of the wind passing over it, and occasionally, the heat caused by the reflection of the sun's rays from the ice whenever the ship came within the angle of incidence.

On our arrival at Halifax we found many American vessels which had been detained, laden with corn and provisions. These had been seized by our predecessors on the station, the act by no means tending to increase our popularity on subsequent visits along the United States coast. Another practice which was pursued has always appeared to me a questionable stretch of authority towards a neutral nation, viz. the forcible detention of English seamen whenever found navigating American ships. Of this the Government of the United States justly complained, as inflicting severe losses on their citizens, whose vessels were thus delayed or imperilled for want of hands.

The practice was defended by the British Government, but on what grounds I am not jurist enough to comprehend. Certain it is, that should another Continental war arise, such a course would be impracticable ; for as American ships, whether of war or commerce, are now for the most part manned by British seamen, driven from the service of their country by an unwise abrogation of that portion of the navigation laws which fostered our own nursery for the navy—the effect of such an order would be to unman American ships ; and it is questionable whether the United States Government would submit to such a regulation, even if we were inclined to put it in execution.

On the 14th of January, 1795, Admiral Murray appointed me acting third lieutenant of the 'Thetis,' though not eighteen months had elapsed since my entrance into the service. Thanks to my worthy friend Jack Larmour, and to my own industry, it may be stated, without vanity, that I was not incompetent to fill the station to which the admiral had promoted me. This

unlooked-for reward redoubled my zeal, and on the 13th of April following I was made acting lieutenant of the 'Africa,' Captain Rodham Home, who applied to the admiral for my services. This additional promotion was followed on the 6th of July by a provisional commission confirming my rank.

The 'Africa' was sent to scour the seaboard of the States in search of enemy's vessels, but not falling in with any, we ran on to Florida, with similar ill-success. An accident here occurred to me which left its mark through life. I had contrived a ball of lead studded with barbed prongs, for the purpose of catching porpoises. One day the doctor laid me a wager against hurling the missile to a certain distance, and in the attempt a hook nearly tore off the fore-finger of my right hand. A perhaps not very judicious course of reading had at that time led me to imbibe the notion of a current spurious philosophy, that there was no such thing as pain, and few opportunities were lost of parading arguments on the subject. As the doctor was dressing my hand, the pain was so intense that my crotchets were sadly scandalized by an involuntary exclamation of agony. "What!" said the doctor, "I thought there was no such thing as pain!" Not liking to have a favourite theory so palpably demolished, the ready reply was that "my exclamation was not one of pain, but mental only, arising from the sight of my own blood!" He laughed, whilst I writhed on, but the lesson knocked some foolish notions out of my head.

On the 5th of January, 1796, ~~the~~ the first lieutenant of the 'Thetis' having been promoted, an order was transmitted for me to quit the 'Africa,' and rejoin my uncle's ship, which I did in the 'Lynx,' Captain Skene. An incident occurred during the passage worth relating.

The 'Lynx' one day overhauled an American vessel from France to New York, professedly in ballast. At first, nothing was found to warrant her detention, but a more minute search brought to light from amongst the shingle ballast, a number of casks filled with costly church plate; this being amongst the means adopted by the French Convention to raise supplies, an intention in this case thwarted by the vigilance of Captain Skene.

The sagacity of Captain Skene was exemplified in another instance. Observing one day a quantity of stable litter on the surface of the sea, it was obvious that it could only arise from the transport of animals. Tracking the refuse to the south-

ward, we overtook and captured a vessel laden with mules for the use of one of the French possessions.

The period having arrived at which the Admiralty regulations permitted young officers to offer themselves for examination—on rejoining the 'Thetis' I was ordered up, and passed for lieutenant accordingly; my time as a midshipman being made up from my nominal rating on board the 'Vesuvius,' &c., as narrated in a former chapter.

The mention of this practice will, perhaps, shock the purists of the present day, who may further regard me as a stickler for corruption, for pronouncing its effect to have been beneficial. First, because—from the scarcity of lieutenants—encouragement was often necessary; secondly, because it gave an admiral a power which he does not now possess, viz. that of selecting for commissions those who exerted themselves, and on whom he could rely, in place of having forced upon him young men appointed by parliamentary or other influence; of whom he could know nothing, except that they did not owe their commissions to practical merit.

In my own subsequent career as captain of a man-of-war, there never was the slightest difficulty as regarded men; yet no commander could, in this respect, be more particular; but of many officers furnished to me through parliamentary influence, it can only be said that they were seldom trusted, as I considered it preferable, on pressing occasions, to do their duty myself; and this, as some of them had powerful influence, no doubt made me many enemies amongst their patrons. It is all very well to talk of the inordinate power exercised by commanding officers in former times, but whilst the Admiralty, even in our day, appears to extend a system in which influence has everything and experience nothing to do, the so-called corruption of old, which was never made use of but to promote merit, had its advantages; no instance in which the power then indirectly pertaining to admirals commanding having, to my knowledge, been abused.*

* This adoption, for political purposes, of a baneful system may, in an unforeseen emergency, tend to the overthrow of the state; and nothing, in my opinion, can be more injurious to the navy than the usurpation of all distributive power by a ministry in exchange for parliamentary votes. In civil offices this may be merely obstructive—in the navy it is destructive. Systems like these are such as no state can long exist under securely, and history warns us that from perversion of patronage great states have fallen.

During my absence in the 'Africa,' I lost the chance of participating in a gallant attack made by the Hon. Captain Cochrane, in the 'Thetis,' and Captain Beresford, in the 'Hussar,' on five French ships, which they had been watching near the mouth of the Chesapeake. These ships were fallen in with at sea off Cape Henry, and on the approach of the 'Thetis' and 'Hussar' formed in line to receive them. The 'Hussar,' being the smaller vessel, encountered the two leading ships, whilst the 'Thetis' opened her broadside on the centre vessel, and the two in the rear. In half an hour, the French commodore and the second in the line gave up the combat, and made sail, leaving the others to the mercy of the two English frigates, which in another half-hour compelled them to surrender, one of them, however, contriving to escape. Two, the 'Prévoyant,' 36, and the 'Raison,' 18, were secured and taken to Halifax, where they were fitted out as cruisers, and afterwards returned with the squadron to England. This action was the only one of any importance which occurred during the dreary five years that we were employed on the North American coast, and is here mentioned because it has been said I was present, which was not the case.

In the year 1797, Admiral Murray was succeeded in the command by Admiral Vandeput, who, on the 21st of June, appointed me lieutenant in his flag-ship, the 'Resolution.' On joining this ship a few days afterwards, my reception was anything but encouraging.

Being seated near the admiral at dinner, he inquired what dish was before me. Mentioning its nature, I asked him if he would permit me to help him. The uncourteous reply was—that whenever he wished for anything he was in the habit of asking for it. Not knowing what to make of a rebuff of this nature, it was met by an inquiry if he would allow me the honour of taking wine with him. "I never take wine with any man, my lord," was the unexpected reply, from which it struck me that my lot was cast among Goths, if no worse.

Never were first impressions more ill-founded. Admiral Vandeput had merely a habit of showing his worst features first, or rather of assuming those which were contrary to his nature. A very short time developed his true character,—that of a perfect gentleman, and one of the kindest commanders living. In place of the hornet's nest figured to my imagination, there was not a happier ship afloat, nor one in which officers lived in more perfect harmony.

The only drawback was that of wanting something better to do than cruise among the fogs of Newfoundland and Nova Scotia,—an inglorious pursuit, the more severely felt, from the fact that each succeeding packet brought accounts of brilliant naval victories achieved in European waters. The French, after my uncle's capture of their store-ships, gave up all attempts to get supplies from America by means of their own vessels; and the United States Government concluded a treaty with England, in which both sides disclaimed all wish to pass the bounds observed by neutral nations, so that the squadron was without beneficial employment.

Tired of the monotony of Halifax, Admiral Vandeput determined to winter in the Chesapeake, where he resided ashore. As it was his practice to invite his officers by turns to remain a week with him, our time was agreeably spent, the more so that there were several families in the vicinity which retained their affection for England, her habits, and customs. Even the inn-keeper of the place contrived to muster a tolerable pack of hounds which, if not brought under the perfect discipline of their British progenitors, often led us into more danger than is encountered in an English field, in consequence of our runs frequently taking us amongst thick forests, the overhanging branches of which compelled us to lay ourselves flat on the horses' backs, in order to avoid the fate intended for the objects of the chase.

Another of our amusements was shooting; and one day a circumstance took place of which I did not for a long time hear the last. Being invited to pass a week with the admiral, who was about to give a dinner to his neighbours, it was my wish to add a delicacy to his table; and having heard that a particular locality abounded with wild hogs, it seemed practicable that a boar's head might grace the feast. On reaching the forest, nearly the first object encountered was a huge wild-looking sow with a farrow of young pigs, and as the transition from boar's head to sucking pig was not great, a shot from my rifle speedily placed one in a preliminary condition for roasting. But porcine maternal affection had not entered into my calculations. The sow charged me with such ferocity that prompt retreat, however undignified, became necessary, for my weapon was now harmless. In short, so vigorous was the onslaught of the enemy, that it became necessary to shelter myself in the fork of a tree, my gun being of necessity left at the bottom.

The enraged animal mounted guard, and for at least a couple of hours waited for my descent; when, finding no symptoms of unconditional surrender, she at length moved slowly off with the remainder of her family. As the coast was now clear, I came down and shouldered the defunct pig, hoping to be in time to add it to the admiral's table, for which, however, it was too late.

Having told the story with great simplicity, I found myself at dinner roasted instead of the pig; the changes on this theme being rung till it became rather annoying. By way of variation the admiral asked me for a toast, and on my pleading ignorance of such customs insisted on my giving a sentiment; whereupon I gave "The Misses Tabbs,"—the point consisting in the fact that these ladies were each over six feet high, and in the gossip of the place were understood to be favourites of the admiral. For a moment Admiral Vandeput looked grave, but thinking, no doubt, the retort a fair one, he joined in the laughter against himself; though from that day he never asked me for a toast.

Those were days when even gentlemen did not consider it a demerit to drink hard. It was then, as it is now, a boast with me never in my life to have been inebriated, and the revenge was that my boast should be at an end. Rapid circulation of the bottle accordingly set in; but this I managed to evade by resting my head on my left hand, and pouring the wine down the sleeve of my uniform coat. The trick was detected, and the penalty of drinking off a whole bottle was about to be enforced when I darted from the room, pursued by some of the company, who at length got tired of the chase, and I passed the night at a farm-house.

Having paid so lengthened a visit to the United States at a period almost immediately following their achievement of independence, a few remarks relative to the temper and disposition of the American people at that period may not be uninteresting. Thoroughly English in their habits and customs, but exasperated by the contumely with which they had been treated by former British governments, their civility to us was somewhat constrained, yet so thoroughly English as to convince us that a little more forbearance and common sense on the part of the home authorities might have averted the final separation of these fine provinces from the mother country. There is every reason to believe that the declaration of the Confederation of

the United Colonies in 1775 was sincere; viz. that on the concession of their just demands, "the colonies are to return to their former connections and friendship with Great Britain; but on failure thereof this Confederation is to be perpetual."*

In vain, however, did the more far-sighted of the English public remonstrate with the Government, and in vain did the City of London by their chief magistrate urge the wrongs and loyalty of the colonists, even to memorialising the king to dismiss from his councils those who were misleading him. A deaf ear was turned to all remonstrance, and a determination to put down by force what could not at first be called rebellion was the only reply vouchsafed; it was not till all conciliatory means had failed that the first Congress of Philadelphia asserted the cause and necessity of taking up arms in the defence of freedom; the second Congress of the same place confederating the provinces under the title of the "United States of America."

The failure of those employed in conciliation to induce the colonists to return to their allegiance—the co-operation of the King of France in aid of the revolt—the discreditable war which followed—and the singular recoil of his own principles on the head of Louis XVI. himself, are matters of history, and need not here be further alluded to.

When the 'Thetis' was first on the coast, the American republic was universally recognized, and it must be admitted that our treatment of its citizens was scarcely in accordance with the national privileges to which the young republic had become entitled. There were, no doubt, many individuals amongst the American people who, caring little for the Federal government, considered it more profitable to break than to keep the laws of nations, by aiding and supporting our enemy, and it was against such that the efforts of the squadron had been chiefly directed; but the way in which the object was carried out was scarcely less an infraction of those international laws which we were professedly enforcing.

The practice of taking English seamen out of American vessels, without regard to the safety of navigating them when thus deprived of their hands, has been already mentioned. To this may be added, the detention of vessels against which nothing contrary to international neutrality could be established,

* "Articles of Confederation between New Hampshire Massachusetts," &c. &c., May 20th, 1775.

whereby their cargoes became damaged; the compelling them, on suspicion only, to proceed to ports other than those to which they were destined, and generally treating them as though they were engaged in contraband trade.

Of these transactions the Americans had a right to complain; but in other respects their complaints were indefensible; such as that of our not permitting them to send corn and provisions to France, a violation of neutrality into which, after declaration of blockade, none but an inexperienced government could have fallen; though there was perhaps something in the collateral grievance that American ships were not permitted to quit English ports without giving security for the discharge of their cargoes in some other British or neutral port.

It would be wearisome to enter into further details respecting the operations of a squadron so ingloriously employed, or to notice the subordinate part which a junior lieutenant could take in its proceedings. Suffice it to say, that after remaining five years on the North American station, the 'Thetis' returned to England.

CHAPTER IV.

SERVICES IN THE MEDITERRANEAN.

I join Lord Keith's ship.—An unpleasant altercation, ending in a court-martial.—The blockade of Cadiz.—French fleet in the offing.—Pursued by Lord Keith.—Enemy's vessels burnt at Toulon.—Lord Keith recalled by Lord St. Vincent.—Lord St. Vincent resigns the command.—Lord Keith pursues the French fleet to Brest, and from thence to the Mediterranean.—State of the French marine.—Lord Keith appoints me to the 'Genéreux.'—Burning of the 'Queen Charlotte.'—Action with privateers off Cabritta Point.—Recommended for promotion.

TOWARDS the close of the autumn of 1798, Lord Keith was appointed to relieve Lord St. Vincent in the command of the Mediterranean fleet, and kindly offered to take me with him as a supernumerary. I therefore embarked, by his lordship's invitation, in the flag-ship.

We arrived at Gibraltar on the 14th of December, and found Lord St. Vincent residing on shore, his flag flying on board the 'Souverain' sheerhulk.

His lordship's reception of me was very kind, and on the 24th of December, at Lord Keith's request, he gave an order for my appointment to the 'Barfleur,' to which ship Lord Keith had

shifted his flag. This appointment, from a certain dissatisfaction at my having received such a commission after being so short a time at sea, afterwards brought me into trouble.

Lord St. Vincent did not, as was expected, immediately transfer to Lord Keith the command of the Mediterranean fleet, but remained at Gibraltar, giving orders to his lordship to blockade the Spanish fleet in Cadiz.

The first part of the year was spent in this employment, Lord Keith's force varying from eleven to fifteen sail of the line, but without frigates, though the commander-in-chief had a considerable number under his orders. The omission was the more remarkable, as the blockaded Spanish force numbered upwards of twenty ships of the line, with frigates and smaller vessels in proportion.

The British force, for upwards of four months, was anchored some seven or eight miles from Cadiz, but without rousing the national spirit of the Spaniards, who manifested no disposition to quit their shelter, even though we were compelled from time to time to leave our anchorage for the purpose of procuring water and cattle from the neighbouring coast of Africa. It was during one of these trips in the '*Barfleur*' that an absurd affair involved me in serious disaster.

Our first lieutenant, Beaver, was an officer who carried etiquette in the wardroom and on deck almost to despotism. He was laudably particular in all matters visible to the eye of the admiral, but permitted an honest penny to be turned elsewhere by a practice as reprehensible as revolting. On our frequent visits to Tetuan, we purchased and killed bullocks *on board the 'Barfleur,'* for the use of the whole squadron. The reason was, that raw hides, being valuable, could be stowed away in her hold in empty beef-casks, as especial perquisites to certain persons connected with the flag-ship; a natural result being, that, as the fleshy parts of the hides decomposed, putrid liquor oozed out of the casks, and rendered the hold of the vessel so intolerable, that she acquired the name of "The stinking Scotch ship."

As junior lieutenant, much of the unpleasantness of this fell to my share, and as I always had a habit of speaking my mind without much reserve, it followed that those interested in the raw hide speculation were not very friendly disposed towards me.

One day, when at Tetuan, having obtained leave to go ashore

and amuse myself with shooting wild-fowl, my dress became so covered with mud, as to induce me not to come off with other officers in the pinnace which took me on shore, preferring to wait for the launch, in which the filthy state of my apparel would be less apparent. The launch being delayed longer than had been anticipated, my leave of absence expired shortly before my arrival on board—not without attracting the attention of Lieutenant Beaver, who was looking over the gangway.

Thinking it disrespectful to report myself on the quarter-deck in so dirty a condition, I hastened to put on clean uniform, an operation scarcely completed when Lieutenant Beaver came into the wardroom, and in a very harsh tone demanded the reason of my not having reported myself. My reply was, that as he saw me come up the side, he must be aware that my dress was not in a fit condition to appear on the quarter-deck, and that it had been necessary to change my clothes before formally reporting myself.

Lieutenant Beaver replied to this explanation in a manner so offensive that it was clear he wanted to surprise me into some act of insubordination. As it would have been impossible to be long cool in opposition to marked invective, I respectfully reminded him that by attacking me in the wardroom he was breaking a rule which he had himself laid down; viz. that "Matters connected with the service were not there to be spoken of." The remark increased his violence, which, at length, became so marked as to call forth the reply, "Lieutenant Beaver, we will, if you please, talk of this in another place." He then went on deck, and reported to Captain Elphinstone that in reply to his remarks on a violation of duty, he had received a challenge!

On being sent for to answer the charge, an explanation of what had really taken place was given to Captain Elphinstone, who was kindly desirous that the first lieutenant should accept an apology, and let so disagreeable a matter drop. This was declined on my part, on the ground that, in the conversation which had passed, I had not been in the wrong, and had therefore no apology to make. The effect was, that Beaver demanded a court-martial on me, and this, after manifest reluctance on the part of Lord Keith, was ordered accordingly; the decision of which was an admonition to be "more careful in future"—a clear proof that the court thought great provocation had been given by my accuser, or their opinion would have been more marked.

The Judge-Advocate on this occasion was the admiral's secretary, one of those who had taken offence about the raw hides before mentioned ! After the business of the court was concluded, Lord Keith, who was much vexed with the whole affair, said to me privately : " Now, Lord Cochrane, pray avoid for the future all flippancy towards superior officers." His secretary overheard and embodied the remark in the sentence of the court-martial ; so that shortly afterwards his officiousness or malice formed an impediment to my promotion, though the court had actually awarded no censure.

Lord Keith, who had in vain used every endeavour to induce the Spaniards to risk an engagement, began to get tired of so fruitless an operation as that of watching an enemy at anchor under their batteries, and resolved to try if he could not entice or force them to quit their moorings. With this view, the British force, though then consisting of twelve ships only, without a single frigate to watch the enemy meanwhile, proceeded to water, as usual, at Tetuan, so as to be in readiness for any contingencies that might arise. As the events which followed have been incorrectly represented by naval historians, if not in one instance misrepresented, it is necessary, in order to do justice to Lord Keith, to detail them at some length.

Immediately after our return from Tetuan, the ' Childers ' arrived with intelligence that five Spanish sail of the line had got out of Ferrol, and she was followed on the same day by the ' Success ' frigate, which had been chased by a French fleet off Oporto. Lord Keith at once despatched the ' Childers ' to Gibraltar, to inform Lord St. Vincent, as was understood in the squadron, that he intended, if the French fleet came to Cadiz, to engage them, notwithstanding the disparity of numbers. Lord Keith's force, by the arrival of three additional ships of the line and one frigate, now amounted to sixteen sail ; viz. one 112-gun ship, four 98's, one 90, two 80's, seven 74's, and one frigate, and these were immediately got under weigh and formed in order of battle, standing off and on in front of the harbour.

About 8 A.M. on the 6th of May the French fleet was signalled in the offing, and was made out to consist of thirty-three sail, which, with the twenty-two sail of Spaniards in Cadiz, made fifty-five, besides frigates, to be encountered by the comparatively small British force. The French fleet was on the larboard tack, and our ships immediately formed on the same

tack to receive them. To our surprise they soon afterwards wore and stood away to the south-west; though from our position between them and the Spaniards they had a fair chance of victory had the combined fleets acted in concert. According to Lord Keith's pithily expressed opinion, we lay between "the devil and the deep sea."

Yet there was nothing rash. Lord Keith calculated that the Spaniards would not move unless the French succeeded in breaking through the British line, and this he had no doubt of preventing. Besides which, the wind, though not dead on shore, as has been said, was unfavourable for the Spaniards coming out with the necessary rapidity. The great point to be gained was to prevent the junction of the enemies' fleets, as was doubtless intended; the attempt was, however, completely frustrated by the bold interposition of Lord Keith, who, strange to say, never received for this signal service the acknowledgment of merit which was his due.

It has been inferred by naval historians that a gale of wind, which was blowing on the first appearance of the French fleet, was the cause of their standing away. A better reason was their disinclination to encounter damage, which they knew would defeat their ultimate object of forming a junction with the Spanish fleet elsewhere.

At daylight on the 7th we were still standing off and on before Cadiz, expecting the enemy to return; when shortly afterwards four of their ships were seen to windward of the British force, which immediately gave chase; but the enemy outstripping us, we returned to the coast, to guard every point by which they might get into Cadiz. Seeing no symptoms of the main body of the French fleet, Lord Keith concluded that the four ships just noticed had been left as a decoy to draw his attention from their real object of running for Toulon, now that they had been foiled in their expectation of carrying with them the Spanish fleet. We accordingly made all sail for Gibraltar.

From the intelligence forwarded by the 'Childers,' there was reason to suppose that Lord St. Vincent would have prepared for instant pursuit. To our surprise, the signal was made to anchor and obtain water and provision. Three entire days were consumed in this operation; with what effect as regarded the other ships I do not know, but so far as the 'Barfleur' was concerned, and as far as I know of the other ships, the delay was unnecessary. The fleet was greatly disappointed at being

thus detained, as the enemy would thereby reach Toulon without molestation, and for any good which could be effected we might as well remain where we lay.

This impatience was, after a lapse of three days, ended by Lord St. Vincent hoisting his flag on board the 'Ville de Paris;' when, reinforced by the 'Edgar,' 74, the fleet shaped its course up the Mediterranean.

After we had proceeded as far as the Bay of Rosas, Lord St. Vincent, having communicated with Lord Keith, parted company in the 'Ville de Paris' for Minorca, leaving Lord Keith to pursue the enemy with the remaining ships. We now made straight for Toulon, where we learned from some fishing boats that the enemy's fleet had embarked spars, cordage, anchors, and other heavy articles for the equipment of their ships of war built or building at Spezzia—and had sailed to the eastward.

After burning some merchant vessels working into Toulon, we again started in chase. It was now of even greater importance to overtake the French fleet, in order to frustrate a double mischief; first, their escape; and secondly, their getting to Spezzia with the materials for so important an addition to their force. With this object the British ships crowded all sail in the direction the enemy had taken, and at length came in sight of their look-out frigates between Corsica and Genoa.

Just as we were upon the point of seeing the fleet also, a fast-sailing transport arrived from Lord St. Vincent, with orders to return to Port Mahon; intelligence of the sailing of the French fleet having reached that port, which, Lord St. Vincent feared, might become the object of attack. Lord Keith, however, knowing exactly the position of the enemy, within reach of whom we now virtually were, persevered in the pursuit.

Shortly afterwards another fast-sailing transport hove in sight, firing guns for Lord Keith to bring-to, which having done, he received peremptory orders to repair immediately to Minorca; Lord St. Vincent still imagining that as the enemy had left Toulon they might catch him in Port Mahon; the fact of their having gone to Spezzia, though known to us, being unknown to him. Compliance with this unseasonable order was therefore compulsory, and Lord Keith made the signal for all captains, when, as reported by those officers, his lordship explained that the bearing up was no act of his, and the captains having returned on board their respective ships, re-

luctantly changed the course for Minorca, leaving the French fleet to proceed unmolested to Spezzia.

On Lord Keith receiving this order, I never saw a man more irritated. When annoyed, his lordship had a habit of talking aloud to himself. On this occasion, as officer of the watch, I happened to be in close proximity, and thereby became an involuntary listener to some very strong expressions, imputing jealousy on the part of Lord St. Vincent as constituting the motive for recalling him. The actual words of Lord Keith not being meant for the ear of any one, I do not think proper to record them. The above facts are stated as coming within my own personal knowledge, and are here introduced in consequence of blame being cast on Lord Keith to this day by naval historians, who could only derive their authority from *data* which are certainly untrue—even if official. Had the command been surrendered to Lord Keith on his arrival in the Mediterranean, or had his lordship been permitted promptly to pursue the enemy, they could not have escaped.

The French fleet, after we were compelled to relinquish the chase (when in sight of their look-out frigates), were reported to have landed 1000 men at Savona, and convoyed a supply of wheat to Genoa, as well as having landed their naval stores at Spezzia, not one of which services could have been effected had it not been for the unfortunate delay at Gibraltar and the before-mentioned recall of the pursuing fleet.

Immediately after our departure from Gibraltar, the Spanish fleet quitted Cadiz for the Mediterranean, and as no force remained to watch the Straits, they were enabled to pass with impunity; the whole, after suffering great damage by a gale of wind, succeeded in reaching Carthage.

On our arrival at Minorca, Lord St. Vincent resumed the command, and proceeded for some distance towards Toulon. On the 2nd of June, his lordship again quitted the fleet for Mahon, in the 'Ville de Paris.' On the 14th Lord Keith shifted his flag from the 'Barfleur' to the 'Queen Charlotte,' a much finer ship, to which I had the honour to accompany him.

We once more proceeded in quest of the French fleet, and on the 19th the advance ships captured three frigates and two brigs of war on their way from Egypt to Toulon, but learned nothing of the fleet we were in search of. On the 23rd of June, Lord St. Vincent at length resigned the Mediterranean command and sailed for England, so that Lord Keith had no alternative

but to return to Port Mahon to make the necessary arrangements.

Scarcely had we come to an anchor when we received intelligence that the French fleet had passed to the westward to join the Spanish fleet at Carthagena!

Without even losing time to fill up with water, every exertion was made for immediate pursuit, and on the 10th we started for Carthagena, but finding the enemy gone, again made sail, and on the 26th reached Tetuan, where we completed our water. On the 29th Lord Keith communicated with Gibraltar, but as nothing was heard of the combined fleets, it was evident they had gone through the Straits in the dark; we therefore followed and examined Cadiz, where they were not. Pursuing our course without effect along the Spanish and Portuguese coasts—on the 8th of August we fell in with a Danish brig off Cape Finisterre, and received from her information that she had two days before passed through the combined French and Spanish fleets. We then directed our course for Brest, hoping to be in time to intercept them, but found that on the day before our arrival they had effected their object, and were then safely moored within the harbour. We now shaped our course for Torbay, and there found the Channel fleet under Sir Alan Gardner—the united force being nearly fifty ships of the line.

On our arrival at Torbay, Lord Keith sent me with despatches on board the commander-in-chief's ship, where, after executing my commission, it was imperiously demanded by her captain whether I was aware that my coming on board was an infringement of quarantine regulations? Nettled at the overbearing manner of an uncalled-for reprimand to an inferior officer, my reply was that, having been directed by Lord Keith to deliver his despatches, his lordship's orders had been executed accordingly; at the same time, however, assuring my interrogator that we had no sickness in the fleet, nor had we been in any contagious localities. From the captain's manner, it was almost evident that, for being thus plain spoken, he intended to put me under arrest, and I was not sorry to get back to the 'Queen Charlotte;' even a show of resistance to an excess of authority being in those days fatal to many an officer's prospects.

I shall not enter into detail as to what occurred in the Channel; suffice it to say that despite the imposing force lying at Torbay, the combined French and Spanish fleets found no

difficulty in getting out of Brest, and that on the 6th of December Lord Keith returned in pursuit to Gibraltar, where he resumed the Mediterranean command, administered by Lord Nelson during his absence.

It is beyond the province of this work to notice the effectual measures taken by Lord Nelson in the Mediterranean during our absence, as they are matters in which I bore no part. But whilst Nelson and Lord Keith had been doing their best there, little appeared to be done at home to check the enemy's operations.

From Gibraltar we proceeded to Sicily, where we found Lord Nelson surrounded by the *élite* of Neapolitan society, amongst whom he was justly regarded as a deliverer. It was never my good fortune to serve under his lordship, either at that or any subsequent period. During our stay at Palermo, I had, however, opportunities of personal conversation with him, and from one of his frequent injunctions, "Never mind manœuvres, always go at them," I subsequently had reason to consider myself indebted for successful attacks under apparently difficult circumstances.

The impression left on my mind during these opportunities of association with Nelson was that of his being an embodiment of dashing courage, which would not take much trouble to circumvent an enemy, but being confronted with one would regard victory so much a matter of course as hardly to deem the chance of defeat worth consideration.

This was in fact the case; for though the enemy's ships were for the most part superior to ours in build, the discipline and seamanship of their crews was in that day so inferior as to leave little room for doubt of victory on our part. It was probably with the object of improving his crews that Admiral Bruix had risked a run from the Mediterranean to Brest and back, as just now detailed. Had not Lord Keith been delayed at Gibraltar, and afterwards recalled to Minorca, the disparity of numbers on our side would not have been of any great consequence.

Trafalgar itself is an illustration of Nelson's peculiar dash. It has been remarked that Trafalgar was a rash action, and that had Nelson lost it and lived he would have been brought to a court-martial for the way in which that action was conducted. But such cavillers forget that, from previous experience, he had calculated both the nature and amount of resistance to be

expected; such calculation forming as essential a part of his plan of attack as even his own means for making it. The result justified his expectations of victory, which were not only well founded but certain.

The fact is, that many commanders in those days committed the error of overrating the French navy, just as, in the present day, we are nationally falling into the still more dangerous extreme of underrating it. Steam has, indeed, gone far towards equalising seamanship; and the strenuous exertions of the French department of Marine have perhaps rendered discipline in their navy as good as in ours. They moreover keep their trained men, whilst we thoughtlessly turn ours adrift whenever ships are paid off—to be replaced by raw hands in case of emergency!

To return from this digression. After quitting Palermo, and when passing the Straits of Messina, Lord Keith placed me as prize-master in command of the '*Généreux*,' 74—shortly before captured by Lord Nelson's squadron—with orders to carry her to Port Mahon. A crew was hastily made up of sick and invalided men drafted from the ships of the fleet, and with these we proceeded on our voyage, but only to find ourselves in imminent danger from a gale of wind. The rigging not having been properly set up, the masts swayed with every roll of the ship to such a degree that it became dangerous to go aloft; the shrouds alternately straining almost to breaking, or hanging in festoons, as the masts jerked from side to side with the roll of the vessel. It was only by going aloft myself together with my brother Archibald, whom Lord Keith had permitted to accompany me, that the men could be induced to furl the mainsail. Fortunately the weather moderated, or the safety of the ship might have been compromised; but by dint of hard work, as far as the ill-health of the crew would allow, we managed, before reaching Mahon, to put the '*Généreux*' into tolerable order.

It has been stated that Lord Keith permitted my brother to accompany me in the '*Généreux*.' By this unexpected incident both he and myself were, in all probability, saved from a fate which soon afterwards befel most of our gallant shipmates. On our quitting the '*Queen Charlotte*,' Lord Keith steered for Leghorn, where he landed, and ordered Captain Todd to reconnoitre the island of Cabrera, then in possession of the French. Whilst on his way, some hay, hastily embarked and placed

under the half-deck, became ignited, and the flame communicating with the mainsail set the ship on fire aloft and below. All exertions to save her proved in vain, and though some of the officers and crew escaped, more than three-fourths miserably perished, including Captain Todd, his first lieutenant, Bainbridge, three other lieutenants, the captain of marines, surgeon, more than twenty master's mates and petty officers, and upwards of 600 marines and seamen.

On our return from England to Gibraltar I had been associated with poor Bainbridge in an affair which—except as a tribute to his memory—would not have been worth mentioning. On the evening of the 21st of September, 1799, we observed from the 'Queen Charlotte,' lying in Gibraltar Bay, the 10-gun cutter 'Lady Nelson,' chased by some gun-vessels and privateers, all of which simultaneously commenced an attack upon her. Lord Keith instantly ordered out boats, Bainbridge taking command of the barge, whilst another of the boats was put under my orders. Lord Keith's intention was, by this prompt aid, to induce the 'Lady Nelson' to make a running fight of it, so as to get within range of the garrison guns; but before the boats could come up she had been captured; Lieutenant Bainbridge, though with sixteen men only, dashed at her, boarded, and retook her, killing several and taking prisoners seven French officers and twenty-seven men; but not without himself receiving a severe sabre cut on the head and several other wounds.

The boat under my command was the cutter with thirteen men. Seeing two privateers which had chiefly been engaged in the attack on the 'Lady Nelson' running for Algeiras, we made at the nearest, and came up with her at dark. On laying the cutter alongside, I jumped on board, but the boat's crew did not follow, this being the only time I ever saw British seamen betray symptoms of hesitation. Regaining the cutter, I upbraided them with the shamefulness of their conduct, for the privateer's crew had run below, the helmsman alone being at his post. Their excuse was that there were indications of the privateer's men having there fortified themselves. No reasoning could prevail on them to board. If this boat's crew perished in the 'Queen Charlotte,' their fate is not nationally to be regretted.

On the destruction of the 'Queen Charlotte' Lord Keith hoisted his flag in the 'Audacious.' His lordship was so well

satisfied with my conduct of the 'Généreux' as to write home to the Admiralty recommending my promotion, at the same time appointing me to the command of the 'Speedy,' then lying at Port Mahon.

The vessel originally intended for me by Lord Keith was the 'Bonne Citoyenne,' a fine corvette of eighteen guns; but the brother of his lordship's secretary happening at the time to arrive from Gibraltar, where he had been superseded in the command of the sheer hulk, that functionary managed to place his brother in one of the finest sloops then in the service, leaving to me the least efficient craft on the station.

CHAPTER V.

CRUISE OF THE 'SPEEDY.'

My appointment to the 'Speedy.'—My first prize.—Capitulation of Genoa.—More captures.—Join Lord Keith at Leghorn.—Cruise on the Spanish coast.—Nearly caught by a Spanish frigate.—How she was evaded.—Our cruise renewed.—We proceed to Malta.—Foolish fracas in a ball-room.—A duel.—Capture of a French store-ship.—Chased by another Spanish frigate.—Cruise off Barcelona.—An attempt to entrap us.—Attack on the 'El Gamo' frigate.—Carried by boarding.—Trifling loss of the 'Speedy.'—A device practised during the action.—We proceed with our prize to Mahon.—Postponement of my post rank.—Official despatch.

THE 'Speedy' was little more than a burlesque on a vessel of war, even sixty years ago. She was about the size of an average coasting brig, her burden being 158 tons. She was crowded, rather than manned, with a crew of eighty-four men and six officers, myself included. Her armament consisted of fourteen 4-pounders! a species of gun little larger than a blunderbuss, and formerly known in the service under the name of "miñion," an appellation which it certainly merited.

Being dissatisfied with her armament, I applied for and obtained a couple of 12-pounders, intending them as bow and stern chasers, but was compelled to return them to the ordnance wharf, there not being room on deck to work them; besides which, the timbers of the little craft were found on trial to be too weak to withstand the concussion of anything heavier than the guns with which she was previously armed.

With her rig I was more fortunate. Having carried away her mainyard, it became necessary to apply for another to the

senior officer, who, examining the list of spare spars, ordered the *foretopgallant-yard* of the 'Généreux' to be hauled out *as a mainyard for the 'Speedy'!*

The spar was accordingly sent on board and rigged, but even this appearing too large for the vessel, an order was issued to cut off the yard-arms and thus reduce it to its proper dimensions. This order was neutralized by getting down and planing the yard-arms as though they had been cut, an evasion which, with some alteration in the rigging, passed undetected on its being again swayed up; and thus a greater spread of canvas was secured. The fact of the *foretopgallant-yard* of a second-rate ship being considered too large for the mainyard of my "man-of-war" will give a tolerable idea of her insignificance.

Despite her unformidable character, and the personal discomfort to which all on board were subjected, I was very proud of my little vessel, caring nothing for her want of accommodation, though in this respect her cabin merits passing notice. It had not so much as room for a chair, the floor being entirely occupied by a small table surrounded with lockers, answering the double purpose of storechests and seats. The difficulty was to get seated, the ceiling being only five feet high, so that the object could only be accomplished by rolling on the locker, a movement sometimes attended with unpleasant failure. The most singular discomfort, however, was that my only practicable mode of shaving consisted in removing the skylight and putting my head through to make a toilet-table of the quarter-deck.

In the following enumeration of the various cruises in which the 'Speedy' was engaged, the boarding and searching innumerable neutral vessels will be passed over, and the narrative will be strictly confined—as in most cases throughout this work—to log extracts, where captures were made, or other occurrences took place worthy of record.

"May 10.—Sailed from Cagliari; from which port we had been ordered to convoy fourteen sail of merchantmen to Leghorn. At 9 A.M. observed a strange sail take possession of a Danish brig under our escort. At 11:30 A.M. rescued the brig and captured the assailant. This prize—my first piece of luck—was the 'Intrépide,' French privateer of six guns and forty-eight men.

"May 14.—Saw five armed boats pulling towards us from Monte Cristo. Out sweeps to protect convoy. At 4 P.M. the boats boarded and took possession of the two sternmost ships. A light breeze springing up, made all sail towards the captured vessels, ordering the re-

mainder of the convoy to make the best of their way to Longona. The breeze freshening we came up with and recaptured the vessels with the prize crews on board, but during the operation the armed boats escaped.

"May 21.—At anchor in Leghorn Roads. Convoy all safe. 25.—Off Genoa. Joined Lord Keith's squadron of five sail of the line, four frigates and a brig.

"26, 27, 28.—Ordered by his lordship to cruise in the offing, to intercept supplies destined for the French army under Massena, then in possession of Genoa.

"29.—At Genoa some of the gun-boats bombarded the town for two hours.

"30.—All the gun-boats bombarded the town. A partial bombardment had been going on for an hour a day, during the past fortnight, Lord Keith humanely refraining from continued bombardment, out of consideration for the inhabitants, who were in a state of absolute famine."

This was one of the *crises* of the war. The French, about a month previous, had defeated the Austrians with great slaughter in an attempt, on the part of the latter, to retake Genoa; but the Austrians, being in possession of Savona, were nevertheless able to intercept provisions on the land side, whilst the vigilance of Lord Keith rendered it impossible to obtain supplies by sea.

It having come to Lord Keith's knowledge that the French in Genoa had consumed their last horses and dogs, whilst the Genoese themselves were perishing by famine, and on the eve of revolt against the usurping force—in order to save the carnage which would ensue, his lordship caused it to be intimated to Massena that a defence so heroic would command honourable terms of capitulation. Massena was said to have replied that if the word "capitulation" were mentioned his army should perish with the city; but, as he could no longer defend himself, he had no objection to "treat." Lord Keith, therefore, proposed a treaty, viz., that the army might return to France, but that Massena himself must remain a prisoner in his hands. To this the French general demurred; but Lord Keith insisting—with the complimentary observation to Massena that "he was worth 20,000 men"—the latter reluctantly gave in, and on the 4th of June, 1800, a definite treaty to the above effect was agreed upon, and ratified on the 5th, when the Austrians took possession of the city, and Lord Keith of the harbour, the squadron anchoring within the mole.

This affair being ended, his lordship ordered the 'Speedy' to cruise off the Spanish coast, and on the 14th of June we parted company with the squadron.

"June 16.—Captured a tartan off Elba. Sent her to Leghorn, in the charge of an officer and four men.

"22.—Off Bastia. Chased a French privateer with a prize in tow. The Frenchman abandoned the prize, a Sardinian vessel laden with oil and wool, and we took possession. Made all sail in chase of the privateer; but on our commencing to fire she ran under the fort of Caprea, where we did not think proper to pursue her. Took prize in tow, and on the following day left her at Leghorn, where we found Lord Nelson, and several ships at anchor.

"25.—Quitted Leghorn, and on the 26th were again off Bastia, in chase of a ship which ran for that place, and anchored under a fort three miles to the southward. Made at and brought her away. Proved to be the Spanish letter of marque 'Assuncion,' of ten guns and thirty-three men, bound from Tunis to Barcelona. On taking possession, five gun-boats left Bastia in chase of us; took the prize in tow, and kept up a running fight with the gun-boats till after midnight, when they left us.

"29.—Cast off the prize in chase of a French privateer off Sardinia. On commencing our fire she set all sail and ran off. Returned and took the prize in tow; and the 4th of July anchored with her in Port Mahon.

"July 9.—Off Cape Sebastian. Gave chase to two Spanish ships standing along shore. They anchored under the protection of the forts. Saw another vessel lying just within range of the forts;—out boats and cut her out, the forts firing on the boats without inflicting damage.

"July 19.—Off Caprea. Several French privateers in sight. Chased, and on the following morning captured one, the 'Constitution,' of one gun and nineteen men. Whilst we were securing the privateer, a prize which she had taken made sail in the direction of Gorgona and escaped.

"27.—Off Planosa, in chase of a privateer. On the following morning saw three others lying in a small creek. On making preparations to cut them out, a military force made its appearance, and commenced a heavy fire of musketry, to which it would have answered no purpose to reply. Fired several broadsides at one of the privateers, and sunk her.

"31.—Off Porto Ferrario in chase of a French privateer, with a prize in tow. The Frenchman abandoned his prize, of which we took possession, and whilst so doing the privateer got away.

"August 3.—Anchored with our prizes in Leghorn Roads, where we found Lord Keith in the 'Minotaur.'"

Lord Keith received me very kindly, and directed the 'Speedy' to run down the Spanish coast, pointing out the importance of harassing the enemy there as much as possible, but cautioning me against engaging anything beyond our capacity. During our stay at Leghorn, his lordship frequently invited me ashore to participate in the gaieties of the place.

Having filled up with provisions and water, we sailed on the 16th of August, and on the 21st captured a French privateer

bound from Corsica to Toulon. Shortly afterwards we fell in with H.M.S. 'Mutine' and 'Salamine,' which, to suit their convenience, gave into our charge a number of French prisoners, with whom and our prize we consequently returned to Leghorn.

On the 14th of September we again put to sea, the interval being occupied by a thorough overhaul of the sloop. On the 22nd, when off Caprea, fell in with a Neapolitan vessel having a French prize crew on board. Recaptured the vessel, and took the crew prisoners.

On the 5th of October, the 'Speedy' anchored in Port Mahon, where information was received that the Spaniards had several armed vessels on the look-out for us, should we again appear on their coast. I therefore applied to the authorities to exchange our 4-pounders for 6-pounders, but the latter being too large for the 'Speedy's' ports, we were again compelled to forego the change as impracticable.

"*October 12.*—Sailed from Port Mahon, cruising for some time off Cape Sebastian, Villa Nova, Oropesa, and Barcelona; occasionally visiting the enemy's coast for water, of which the 'Speedy' carried only ten tons. Nothing material occurred till November 18th, when we narrowly escaped being swamped in a gale of wind, the sea breaking over our quarter, and clearing our deck, spars, &c., otherwise inflicting such damage as to compel our return to Port Mahon, where we were detained till the 12th of December.

"*December 15.*—Off Majorca. Several strange vessels being in sight, singled out the largest and made sail in chase; shortly after which a French bombard bore up, hoisting the national colours. We now cleared for action, altering our course to meet her, when she bore up between Dragon Island and the Main. Commenced firing at the bombard, which returned our fire; but shortly afterwards getting closer in shore she drove on the rocks. Three other vessels being in the passage, we left her, and captured one of them, the 'La Liza,' of ten guns and thirty-three men, bound from Alicant to Marseilles. Took nineteen of our prisoners on board the 'Speedy.' As it was evident that the bombard would become a wreck, we paid no further attention to her, but made all sail after the others.

"*December 18.*—Suspecting the passage between Dragon Island and the Main to be a lurking-place for privateers, we ran in again, but found nothing. Seeing a number of troops lining the beach, we opened fire and dispersed them, afterwards engaging a tower, which fired upon us. The prisoners we had taken proving an incumbrance, we put them on shore.

"*December 19.*—Stood off and on the harbour of Palamos, where we saw several vessels at anchor. Hoisted Danish colours and made the signal for a pilot. Our real character being evidently known, none came off, and we did not think it prudent to venture in."

It has been said that the 'Speedy,' had become the marked

object of the Spanish naval authorities. Not that there was much danger of being caught, for they confined their search to the coast only, and that in the daytime, when we were usually away in the offing; it being our practice to keep out of sight during the day, and run in before dawn on the next morning.

On the 21st, however, when off Plane Island, we were very near "catching a Tartar." Seeing a large ship in shore, having all the appearance of a well-laden merchantman, we forthwith gave chase. On nearing her she raised her ports, which had been closed to deceive us, the act discovering a heavy broadside, a clear demonstration that we had fallen into the jaws of a formidable Spanish frigate, now crowded with men, who had before remained concealed below.

That the frigate was in search of us there could be no doubt, from the deception practised. To have encountered her with our insignificant armament would have been exceedingly imprudent, whilst escape was out of the question, for she would have outsailed us, and could have run us down by her mere weight. There was, therefore, nothing left, but to try the effect of a *ruse*, prepared beforehand for such an emergency. After receiving at Mahon information that unusual measures were about to be taken by the Spaniards for our capture, I had the 'Speedy' painted in imitation of the Danish brig 'Clomer;' the appearance of this vessel being well known on the Spanish coast. We also shipped a Danish quartermaster, taking the further precaution of providing him with the uniform of an officer of that nation.

On discovering the real character of our neighbour, the 'Speedy' hoisted Danish colours, and spoke her. At first this failed to satisfy the Spaniard, who sent a boat to board us. It was now time to bring the Danish quartermaster into play in his officer's uniform; and to add force to his explanations, we ran the quarantine flag up to the fore, calculating on the Spanish horror of the plague, then prevalent along the Barbary coast.

On the boat coming within hail,—for the yellow flag effectually repressed the enemy's desire to board us—our mock officer informed the Spaniards that we were two days from Algiers, where at the time the plague was violently raging. This was enough. The boat returned to the frigate, which, wishing us a good voyage, filled, and made sail, whilst we did the same.

I have noted this circumstance more minutely than it merits, because it has been misrepresented. By some of my officers

blame was cast on me for not attacking the frigate after she had been put off her guard by our false colours, as her hands—being then employed at their ordinary avocations in the rigging and elsewhere—presented a prominent mark for our shot. There is no doubt but that we might have poured in a murderous fire before the crew could have recovered from their confusion, and perhaps have taken her, but feeling averse to so cruel a destruction of human life, I chose to refrain from an attack, which might not, even with that advantage in our favour, have been successful.

It has been stated by some naval writers that this frigate was the 'Gamo,' which we subsequently captured. To the best of my knowledge this is an error.

"*December 24.*—Off Carthagena. At daylight fell in with a convoy in charge of two Spanish privateers, which came up and fired at us; but being to windward we ran for the convoy, and singling out two, captured the nearest, laden with wine. The other ran in shore under the fort of Port Genoese, where we left her.

"*25.*—Stood for Cape St. Martin, in hope of intercepting the privateers. At 8 A.M. saw a privateer and one of the convoy under Cape Lanar. Made sail in chase. They parted company; when, on our singling out the nearest privateer, she took refuge under a battery, on which we left off pursuit.

"*30.*—Off Cape Oropesa. Seeing some vessels in shore, out boats in chase. At noon they returned pursued by two Spanish gun-boats, which kept up a smart fire on them. Made sail to intercept the gun-boats, on which they ran in under the batteries.

"*January 10, 1801.*—Anchored in Port Mahon, and having refitted, sailed again on the 12th.

"*16.*—Off Barcelona. Just before daylight chased two vessels standing towards that port. Seeing themselves pursued, they made for the battery at the entrance. Bore up and set steering sails in chase. The wind falling calm, one of the chase drifted in shore, and took the ground under Castel De Ferro. On commencing our fire, the crew abandoned her, and we sent boats with anchors and hawsers to warp her off, in which they succeeded. She proved to be the Genoese ship 'Ns. Señora de Gratia,' of ten guns.

"*22.*—Before daylight, stood in again for Barcelona. Saw several sail close in with the land. Out boats and boarded one, which turned out a Dane. Cruising off the port till 3 A.M., we saw two strange vessels coming from the westward. Made sail to cut them off. At 6 P.M. one of them hoisted Spanish colours and the other French. At 9 P.M. came up with them, when after an engagement of half an hour both struck. The Spaniard was the 'Ecce Homo,' of eight guns and nineteen men, the Frenchman, 'L'Amitié,' of one gun and thirty-one men. Took all the prisoners on board the 'Speedy.'

"*33.*—Still off Barcelona. Having sent most of our crew to man the prizes, the number of prisoners on board the 'Speedy' became dangerous; we therefore put twenty-five of the Frenchmen into one of

their own launches, and told them to make the best of their way to Barcelona. As the prizes were a good deal cut up about the rigging, repaired their damages and made sail for Port Mahon, where we arrived on the 24th, with our convoy in company.

"28th.—Quitted Port Mahon for Malta, not being able to procure at Minorea various things of which we stood in need; and on the 1st of February, came to an anchor at Valetta, where we obtained anchors and sweeps."

An absurd affair took place during our short stay at Malta, which would not have been worthy of notice, had it not been made the subject of comment.

The officers of a French royalist regiment, then at Malta, patronized a fancy ball, for which I amongst others purchased a ticket. The dress chosen was that of a sailor—in fact, my costume was a tolerable imitation of that of my worthy friend, Jack Larmour, in one of his relaxing moods, and personated in my estimation as honourable a character as were Greek, Turkish, or other kinds of Oriental disguises in vogue at such reunions. My costume was, however, too much to the life to please French royalist taste, not even the marlinspike and the lump of grease in the hat being omitted.

On entering the ball-room, further passage was immediately barred, with an intimation that my presence could not be permitted in such a dress. Good-humouredly expostulating that, as the choice of costume was left to the wearer, my own taste—which was decidedly nautical—had selected that of a British seaman, a character which, though by no means imaginary, was quite as picturesque as were the habiliments of an Arcadian shepherd; further insisting that as no rule had been infringed, I must be permitted to exercise my discretion. Expostulation being of no avail, a brusque answer was returned that such a dress was not admissible, whereupon I as brusquely replied that having purchased my ticket, and chosen my own costume in accordance with the regulations, no one had any right to prevent me from sustaining the character assumed.

Upon this a French officer, who appeared to act as master of the ceremonies, came up, and without waiting for further explanation, rudely seized me by the collar with the intention of putting me out; in return for which insult he received a substantial mark of British indignation, and at the same time an uncomplimentary remark in his own language. In an instant all was uproar; a French picket was called, which in a short time overpowered and carried me off to the guard-house of the regiment.

I was, however, promptly freed from detention on announcing my name, but the officer who had collared me demanded an apology for the portion of the *fracas* concerning him personally. This being of course refused, a challenge was the consequence; and on the following morning we met behind the ramparts and exchanged shots, my ball passing through the poor fellow's thigh, and dropping him. My escape, too, was a narrow one—his ball perforating my coat, waistcoat, and shirt, and bruising my side. Seeing my adversary fall, I stepped up to him—imagining his wound to be serious—and expressed a hope that he had not been hit in a vital part. His reply—uttered with all the politeness of his nation—was, that “he was not materially hurt.” I, however, was not at ease, for it was impossible not to regret this, to him, serious *dénouement* of a trumpery affair, though arising from his own intemperate conduct. It was a lesson to me in future never to do anything in frolic which might give even unintentional offence.

On the 3rd of February we sailed under orders for Tripoli, to make arrangements for fresh provisions for the fleet. This being effected, the ‘Speedy’ returned to Malta, and on the 20th again left port in charge of a convoy for Tunis.

24th.—At the entrance of Tunis Bay we gave chase to a strange sail, which wore and stood in towards the town, anchoring at about the distance of three miles. Suspecting some reason for this movement, I despatched an officer to examine her, when the suspicion was confirmed by his ascertaining her to be ‘La Belle Caroline,’ French brig of four guns, bound for Alexandria with field-pieces, ammunition, and wine for the use of the French army in Egypt.

Our position was one of delicacy, the vessel being in a neutral port, where, if we remained to watch her, she might prolong our stay for an indefinite period or escape in the night; whilst, from the warlike nature of the cargo, it was an object of national importance to effect her capture. The latter appearing the most beneficial course under all circumstances, we neared her so as to prevent escape, and soon after midnight boarded her, and having weighed her anchor, brought her close to the ‘Speedy,’ before she had an opportunity of holding any communication with the shore.

The following day was employed in examining her stores, a portion of her ammunition being transferred to our magazine, to replace some damaged by leakage. Her crew, now on board the

'Speedy' as prisoners, becoming clamorous at what they considered an illegal seizure, and being, moreover, in our way, an expedient was adopted to get rid of them, by purposely leaving their own launch within reach during the following night, with a caution to the watch not to prevent their desertion should they attempt it. The hint was taken, for before daylight on the 27th they seized the boat, and pulled out of the bay without molestation, not venturing to go to Tunis lest they should be retaken. We thus got rid of the prisoners, and at the same time of what might have turned out their reasonable complaint to the Tunisian authorities, for that we had exceeded the bounds of neutrality there could be no doubt.

On the 28th we weighed anchor, and proceeded to sea with our prize. After cruising for some days off Cape Bon, we made sail for Cagliari, where we arrived on the 8th of March, and put to sea on the 11th with the prize in tow. On the 16th, anchored in Port Mahon.

On the 18th we again put to sea, and towards evening observed a large frigate in chase of us. As she did not answer the private signal, it was evident that the stranger was one of our Spanish friends on the look-out. To cope with a vessel of her size and armament would have been folly, so we made all sail away from her, but she gave instant chase, and evidently gained upon us. To add to our embarrassment, the 'Speedy' sprung her maintop-gallant-yard, and lost ground whilst fishing it.

At daylight the following morning the strange frigate was still in chase, though by crowding all sail during the night we had gained a little upon her; but during the day she again recovered her advantage, the more so, as the breeze freshening, we were compelled to take in our royals, whilst she was still carrying on with everything set. After dark, we lowered a tub overboard with a light in it, and altering our course thus fortunately evaded her. On the 1st of April we returned to Port Mahon, and again put to sea on the 6th.

"April 11.—Observing a vessel near the shoal of Tortosa, gave chase. On the following morning her crew deserted her, and we took possession. In the evening anchored under the land.

"13.—Saw three vessels at anchor in a bay to the westward of Oropesa. Made sail up to them and anchored on the flank of a ten-gun fort. Whilst the firing was going on, the boats were sent in to board and bring out the vessels, which immediately weighed and got under the fort. At 5.30 P.M. the boats returned with one of them; the other two being hauled close in shore, we did not make any further attempt

to capture them. As the prize, the 'Ave Maria,' of four guns, was in ballast, we took the sails and spars out of her, and set her on fire.

"On the following morning at daybreak, several vessels appeared to the eastward. Made all sail to intercept them, but before we could come up, they succeeded in anchoring under a fort. On standing towards them, they turned out to be Spanish gun-boats, which commenced firing at us. At 10 A.M. anchored within musket-shot, so as to keep an angle of the tower on our beam, thus neutralising its effect. Commenced firing broadsides alternately at the tower and the gun-boats, with visible advantage. Shortly before noon made preparation to cut out the gun-boats, but a fresh breeze setting in dead on shore, rendered it impossible to get at them without placing ourselves in peril. We thereupon worked out of the bay.

"15.—Two strange sail in sight. Gave chase, and in a couple of hours came up with and captured them. Made sail after a convoy in the offing, but the wind falling light at dusk, lost sight of them.

"On the 26th we anchored in Mahon, remaining a week to refit and procure fresh hands, many having been sent away in prizes. On the 2nd of May put to sea with a reduced crew, some of whom had to be taken out of H.M.'s prison."

We again ran along the Spanish coast, and on the 4th of May were off Barcelona, where the 'Speedy' captured a vessel which reported herself as Ragusan, though in reality a Spanish four-gun tartan. Soon after detaining her we heard firing in the W. N.-W., and steering for that quarter fell in with a Spanish privateer, which we also captured, the 'San Carlos,' of seven guns. On this a swarm of gun-boats came out of Barcelona, seven of them giving chase to us and the prizes, with which we made off shore, the gun-boats returning to Barcelona.

On the following morning the prizes were sent to Port Mahon, and keeping out of sight for the rest of the day, the 'Speedy' returned at midnight off Barcelona, where we found the gun-boats on the watch; but on our approach they ran in shore, firing at us occasionally. Suspecting that the object was to decoy us within reach of some larger vessel, we singled out one of them and made at her, the others, however, supporting her so well that some of our rigging being shot away, we made off shore to repair, the gun-boats following. Having thus got them to some distance, and repaired damages, we set all sail, and again ran in shore, in the hope of getting between them and the land, so as to cut off some of their number. Perceiving our intention, they all made for the port as before, keeping up a smart fight, in which our foretopgallant-yard was so much injured, that we had to shift it, and were thus left astern. The remainder of the day was employed in repairing damages, and the gun-

boats not venturing out again, at 9 P.M. we again made off shore.

Convinced that something more than ordinary had actuated the gun-boats to decoy us—just before daylight on the 6th we again ran in for Barcelona, when the trap manifested itself in the form of a large ship, running under the land, and bearing E. S.-E. On hauling towards her, she changed her course in chase of us, and was shortly made out to be a Spanish xebec frigate.

As some of my officers had expressed dissatisfaction at not having been permitted to attack the frigate fallen in with on the 21st of December, after her suspicions had been lulled by our device of hoisting Danish colours, &c., I told them they should now have a fair fight, notwithstanding that, by manning the two prizes sent to Mahon, our numbers had been reduced to fifty-four, officers and boys included. Orders were then given to pipe all hands, and prepare for action.

Accordingly we made towards the frigate, which was now coming down under steering sails. At 9.30 A.M., she fired a gun and hoisted Spanish colours, which the 'Speedy' acknowledged by hoisting American colours, our object being, as we were now exposed to her full broadside, to puzzle her, till we got on the other tack, when we ran up the English ensign, and immediately afterwards encountered her broadside without damage.

Shortly afterwards she gave us another broadside, also without effect. My orders were not to fire a gun till we were close to her; when, running under her lee, we locked our yards amongst her rigging, and in this position returned our broadside, such as it was.

To have fired our popgun 4-pounders at a distance would have been to throw away the ammunition; but the guns being doubly, and, as I afterwards learned, trebly, shotted, and being elevated, they told admirably upon her main deck; the first discharge, as was subsequently ascertained, killing the Spanish captain and the boatswain.

My reason for locking our small craft in the enemy's rigging was the one upon which I mainly relied for victory, viz. that from the height of the frigate out of the water, the whole of her shot must necessarily go over our heads, whilst our guns, being elevated, would blow up her main-deck.

The Spaniards speedily found out the disadvantage under which they were fighting, and gave the order to board the 'Speedy;' but as this order was as distinctly heard by us as by

them, we avoided it at the moment of execution by sheering off sufficiently to prevent the movement, giving them a volley of musketry and a broadside before they could recover themselves.

Twice was this manœuvre repeated, and twice thus averted. The Spaniards finding that they were only punishing themselves, gave up further attempts to board, and stood to their guns, which were cutting up our rigging from stem to stern, but doing little farther damage; for after the lapse of an hour the loss to the 'Speedy' was only two men killed and four wounded.

This kind of combat, however, could not last. Our rigging being cut up and the 'Speedy's' sails riddled with shot, I told the men that they must either take the frigate or be themselves taken, in which case the Spaniards would give no quarter—whilst a few minutes energetically employed on their part would decide the matter in their own favour.

The doctor, Mr. Guthrie, who, I am happy to say, is still living to peruse this record of his gallantry, volunteered to take the helm; leaving him therefore for the time both commander and crew of the 'Speedy,' the order was given to board, and in a few seconds every man was on the enemy's deck—a feat rendered the more easy as the doctor placed the 'Speedy' close alongside with admirable skill.

For a moment the Spaniards seemed taken by surprise, as though unwilling to believe that so small a crew would have the audacity to board them; but soon recovering themselves, they made a rush to the waist of the frigate, where the fight was for some minutes gallantly carried on. Observing the enemy's colours still flying, I directed one of our men immediately to haul them down, when the Spanish crew, without pausing to consider by whose orders the colours had been struck, and naturally believing it the act of their own officers, gave in, and we were in possession of the 'Gamo' frigate, of thirty-two heavy guns and 319 men, who an hour and a half before had looked upon us as a certain if not an easy prey.

Our loss in boarding was Lieutenant Parker, severely wounded in several places, one seaman killed and three wounded, which with those previously killed and wounded gave a total of three seamen killed, and one officer and seventeen men wounded.

The 'Gamo's' loss was Captain de Torres—the boatswain—and thirteen seamen killed, together with forty-one wounded; her casualties thus exceeding the whole number of officers and crew on board the 'Speedy.'

Some time after the surrender of the 'Gamo,' and when we

were in quiet possession, the officer who had succeeded the deceased Captain Don Francisco de Torres, not in command, but in rank, applied to me for a certificate that he had done his duty during the action; whereupon he received from me a certificate that he had "conducted himself like a true Spaniard," with which document he appeared highly gratified, and I had afterwards the satisfaction of learning that it procured him further promotion in the Spanish service.

Shortly before boarding, an incident occurred which, by those who have never been placed in similar circumstances, may be thought too absurd for notice. Knowing that the final struggle would be a desperate one, and calculating on the superstitious wonder which forms an element in the Spanish character, a portion of our crew were ordered to blacken their faces, and what with this and the excitement of combat, more ferocious looking objects could scarcely be imagined. The fellows thus disguised were directed to board by the head, and the effect produced was precisely that calculated on. The greater portion of the Spaniard's crew was prepared to repel boarders in that direction, but stood for a few moments as it were transfixed to the deck by the apparition of so many diabolical looking figures emerging from the white smoke of the bow guns; whilst our other men, who boarded by the waist, rushed on them from behind, before they could recover from their surprise at the unexpected phenomenon.

In difficult or doubtful attacks by sea,—and the odds of 50 men to 320 comes within this description,—no device can be too minute, even if apparently absurd, provided it have the effect of diverting the enemy's attention whilst you are concentrating your own. In this, and other successes against odds, I have no hesitation in saying that success in no slight degree depended on out-of-the-way devices, which the enemy not suspecting, were in some measure thrown off their guard.

The subjoined tabular view of the respective force of the two vessels will best show the nature of the contest.

'Gamo.'	'Speedy.'
Main-deck guns.—Twenty-two long 12-pounders.	Fourteen 4-pounders.
Quarter-deck.—Eight long 8-pounders, and two 24-pounder carronades.	None.
No. of crew, 319.	No. of crew, 54.
Broadside weight of shot, 190 lbs.	Broadside weight of shot, 28 lbs.
Tonnage, 600 and upwards.	Tonnage, 158.

It became a puzzle what to do with 263 unhurt prisoners now we had taken them, the 'Speedy' having only forty-two men left. Promptness was however necessary; so driving the prisoners into the hold, with guns pointing down the hatchway, and leaving thirty of our men on board the prize—which was placed under the command of my brother, the Hon. Archibald Cochrane, then a midshipman—we shaped our course to Port Mahon—not Gibraltar, as has been recorded—and arrived there in safety; the Barcelona gun-boats, though spectators of the action, not venturing to rescue the frigate. Had they made the attempt, we should have had some difficulty in evading them and securing the prize, the prisoners manifesting every disposition to rescue themselves, and only being deterred by their own main deck guns loaded with cannister, and pointing down the hatchways, whilst our men stood over them with lighted matches.

The subjoined is Lord Keith's letter in reply to my official announcement of our success.

“ ‘Foudroyant,’ off Arab's Tower,

“ 9th June, 1801.

“ MY LORD,—I have received your lordship's letter of the 13th ult., enclosing a copy of your letter to Capt. Dixon, detailing your engagement with and capture of the Spanish xebec of 32 guns; and cannot fail to be extremely gratified with the communication of an event so honourable to the naval service, and so highly creditable to your lordship's professional reputation, and to the intrepidity and discipline of the 'Speedy's' officers and men, to all of whom I request your lordship will make my perfect satisfaction and approbation known.

“ I have the honour to be, my lord,

“ Your lordship's most obedient servant,

(Signed)

“ KEITH.

“ The Right Hon. Lord Cochrane,

“ ‘Speedy.’ ”

As a matter of course, my report of the capture of the 'Gamo' was, in the first instance, made to the commandant at Port Mahon, the commander-in-chief being in Egypt. It should have been forwarded by him to the Secretary of the Admiralty, but was delayed for upwards of a month, thus affording a pretence for not promoting me to post rank, according to the recognised rules of the service.

From information on the affair being thus delayed, it was generally believed at home, that the 'Gamo' had been taken by surprise, instead of after a close engagement, deliberately decided on, and announced to the officers and crew of the 'Speedy' at five o'clock in the morning, the hands being turned up for

the purpose. The consequence of the delay was a postponement of my post commission for upwards of three months, viz. from the 6th of May to the 8th of August; and what was of more consequence, a misunderstanding with Lord St. Vincent, which bore most unfavourably upon all my future prospects. Upon this subject much will have to be said in a subsequent chapter.

The subjoined is a copy of my official report to the senior officer commanding at Port Mahon; and also of his remarkably concise comment thereon, when tardily transmitting the same to the Secretary of the Admiralty.

Copy of a letter from Capt. M. DIXON, of H.M.S. 'Généreux,' to E. NEPEAN, Esq., Secretary of the Admiralty, dated Port Mahon, 9th June, 1800.

"SIR,—I have the pleasure to transmit a copy of Lord Cochrane's letter relative to the very spirited and brilliant action with a Spanish xebec frigate.

"I have the honour, &c.

"MANLEY DIXON.

"E. Nepean, Esq."

"H. M. Sloop 'Speedy,' off Barcelona,
"6th May, 1800.

"SIR,—I have the pleasure to inform you, that the sloop I have the honour to command, after a mutual chase and warm action, has captured a Spanish xebec frigate of 32 guns, 22 long 12-pounders, 8 nines, and 2 heavy carronades, viz. the 'Gamo,' commanded by Don Francisco de Torres, manned by 319 officers, seamen, and marines.

"The great disparity of force rendered it necessary to adopt some measure that might prove decisive. I resolved to board, and with Lieut. Parker, the Hon. A. Cochrane, the boatswain and crew, did so, when, by the impetuosity of the attack, we forced them to strike. I have to lament, in boarding, the loss of one man only; the severe wounds received by Lieut. Parker, both from musketry and the sword, one wound received by the boatswain, and one seaman.

"I must be permitted to say that there could not be greater regularity, nor more cool determined conduct shown by men, than by the crew of the 'Speedy.' Lieut. Parker, whom I beg leave to recommend to their lordships' notice, as well as the Hon. Mr. Cochrane, deserve all the approbation that can be bestowed. The exertions and good conduct of the boatswain, carpenter, and petty officers, I acknowledge with pleasure, as well as the skill and attention of Mr. Guthrie, the surgeon.

"I have the honour to be, &c.

"COCHRANE.

"M. Dixon, Esq."

"Speedy's' force at commencement of action.

"Fifty-four officers, men, and boys, 14 4-pounders. Three killed and 8 wounded.

“Gamo's' force at commencement of action.

“Two hundred and seventy-four officers, seamen, and supernumeraries. Forty-five marines. Guns, 32. Don Francisco de Torres, the boatswain, and 13 men killed, 41 wounded.”

CHAPTER VI.

CRUISE OF THE ‘SPEEDY’ CONTINUED.

The ‘Speedy’ sent to Algiers.—Interview with the Dey.—‘Speedy’ returns to Minorca.—Attack on Oropesa.—Enemy's vessels destroyed.—Letter of thanks from Lord Keith.—‘Speedy’ sent in convoy of a packet.—Captured by three French line-of-battle ships, and taken to Algesiras.—Attack by Sir J. Saumarez's squadron.—Loss of the ‘Hannibal.’—Capture of dockyard artificers.—Gallantry of Captain Keats.

OUR success hitherto had procured us some prize money, notwithstanding the peculations of the Mediterranean Admiralty Courts, by which the greater portion of our captures was absorbed.

Despite this drawback, which generally disinclined officers and crews from making extraordinary exertions, my own share of the twelvemonth's zealous endeavours in our little sloop was considerable, and even the crew were in receipt of larger sums than those constituting the ordinary pay of officers; a result chiefly owing to our nocturnal mode of warfare, together with our refraining from meddling with vessels ascertained to be loading in the Spanish ports, and then lying in wait for them as they proceeded on their voyage.

One effect of our success was no slight amount of ill concealed jealousy on the part of officers senior to myself, though there were some amongst these who, being in command of small squadrons instead of single vessels, might, had they adopted the same means, have effected far more than the ‘Speedy,’ with an armament so insignificant, was calculated to accomplish.

After remaining some days at Port Mahon to refit, we prepared to return to our cruising ground, where, from private information, we knew that other prizes were at hand. In place of being permitted so to do, the ‘Speedy’ received an order to proceed to Algiers, for the purpose of representing to the Dey the illegality of his cruisers having taken a British vessel in retaliation for an Algerine captured whilst violating the law of blockade.

The mission was a singular one to be entrusted to the

captain of one of the smallest and worst armed vessels in the British service. Remonstrance, to be effectual with a piratical government, ought to have been committed to an officer armed with sufficient force at least to induce respect. There was, however, no alternative but to obey, and a short time saw us at anchor off the mole of the predatory potentate.

The request for an interview with his highness occasioned no little dissatisfaction amongst his ministers, if those who were quite as much his masters as his subordinates could be so termed. After some consultation, the interview was, however, granted, and a day was appointed to deliver my message.

The invariable Moslem preliminary of taking coffee having been gone through, I was ushered through a series of galleries lined with men, each bearing on his shoulder a formidable looking axe, and eyeing me with an insolent scowl, evidently meant to convey the satisfaction with which they would apply its edge to my vertebræ, should the caprice of their chief so will.

On reaching the presence of the Dey—a dignified looking and gorgeously attired person, seated cross-legged on an elevated couch in one corner of the gallery and surrounded by armed people of most unprepossessing appearance—I was marched up between two janizaries, and ordered to make three salaams to his highness.

This formality being complied with, he rudely demanded, through the medium of an interpreter, “What brought me there?” The reply was that “I was the commander of an English vessel of war in the roads, and had been deputed, on behalf of my Government, respectfully to remonstrate with his highness concerning a vessel which his cruisers had taken contrary to the laws of nations.” On this being interpreted, the ferocious scowls of the bystanders were exchanged for expressions of injured innocence, but the Dey got in a great passion, and told the interpreter to inform me that “remonstrance came with an ill grace from us, the British vessels being the greatest pirates in the world, and mine one of the worst amongst them,” which complimentary statement was acknowledged by me with a formal bow.

“If I did right,” continued the Dey, through his interpreter,—“I should put you and your crew in prison, till (naming a captured Algerine vessel) she was restored; and but for my great respect for the English Government, and my impression

that her seizure was unauthorized, you should go there. However, you may go, with a demand from me that the vessel unjustly taken from us shall be immediately restored."

This decision appeared to be anything but satisfactory to the oligarchy of which his court was composed, as savouring of a clemency to which they were little inclined. From the boisterous conversation which ensued, they were evidently desirous of prolonging my stay to an indefinite period, or perhaps of terminating it summarily through the instrumentality of the axe-men who lined the galleries, as a few years afterwards they terminated the existence of the Dey himself.

To confess the truth, there was some room for self-congratulation on quitting the presence of such barbarians, to whom I was not fairly accredited for such a mission. However, the remonstrance confided to me being duly delivered, we returned to Minorca, to report progress, though not without being chased by an Algerine cruiser on our way. As the 'Speedy' outsailed her, and as there was no beneficial object to be gained by interfering with her, we stood on without further notice.

On arriving at our former cruising ground, we encountered a Spanish privateer of six guns, which was captured. This vessel was fitted out at my own private expense, and my brother appointed to command her, as a tender to the 'Speedy;' several enemy's vessels having previously escaped for want of such aid.

In a few days after this, we fell in with the 'Kangaroo,' Captain Pulling, who, being senior to me, was therefore my commanding officer. Running down the coast in company, we attacked the fort of Almanara, and after silencing it, brought off a Spanish privateer of seven guns.

On the 8th of June, the 'Speedy' ran into Oropesa, where, on the 13th and 14th of April, we had the previous action with the fort and gun-boats. Perceiving several vessels at anchor under the fort, it was deemed advisable to make off shore, with the intention of running in again at midnight, and cutting some of them out.

We had not proceeded far, before we again fell in with the 'Kangaroo,' when informing Captain Pulling of what we had seen, he declined the night attack, preferring to postpone operations till the following day. Accordingly, at noon on the 9th, we went in, and made out a twenty-gun xebec and three gun-boats, with ten sail of merchantmen under their convoy. It was determined to attack them as they lay; the 'Kangaroo'

anchoring well up to and engaging the fort, whilst the 'Speedy' and her tender under my brother's orders encountered the xebec and the gun-boats—the 'Speedy' anchoring in a line between those vessels and the 'Kangaroo.'

For some hours an incessant cannonade was kept up on both sides, the 'Kangaroo's' fire flanking the fort, whilst the slackened fire of the Spanish vessels showed that our shot had told. At this juncture, a twelve-gun felucca, and two more gun-boats having arrived from Valentia to their assistance, the Spaniards took heart, and the action became nearly as brisk as before.

The felucca and the newly arrived gun-boats were, however, for a time beat off, and after an hour's additional firing, the xebec, two gun-boats, and some of the convoy were sunk; the remaining gun-boats shortly afterwards sharing the same fate.

The action had now continued for upwards of nine hours; during which the 'Speedy' had expended nearly all her ammunition, viz. 1400 shot, and the 'Kangaroo' was much in the same predicament. As the felucca and gun-boats had again come up, it was necessary to effect something decisive. Captain Pulling, therefore, slipping his cable, shifted close to the fort, which was soon afterwards abandoned, and the 'Speedy' closed with the felucca and her consorts, which forthwith fled. Had they remained, we had not half a dozen rounds left to continue the action.

Both vessels now hoisted out boats, and made for the merchantmen. Three of these had been sunk, and four others driven on shore; we, however, brought away the three still afloat. By this time a number of Spanish troops lined the beach for the protection of the vessels ashore, and as we had scarcely a shot left, it was impracticable to reply to the musketry, within range of which the boats must necessarily have been placed had the attempt been made. We therefore relinquished the endeavour to get off the stranded vessels.

It may be useful here to remark that on board the 'Kangaroo' were some guns fitted on the non-recoil principle, and that during the action these broke from their breechings; one, if not more, endangering the vessel by bounding down the hatchways into the hold.

The subjoined letter of thanks for this affair was forwarded to Captain Pulling by Lord Keith, who was then at Alexandria watching the movements of the French in Egypt.

“‘Foudroyant,’ Bay of Aboukir,
“ 10th July, 1801.

“SIR,—I have received your letter of the 10th of June, detailing the attack made by the ‘Kangaroo’ and ‘Speedy’ upon the fort of Oropesa and the enemy’s armed vessels at anchor under its protection, on 9th of that month; as well as upon the tower of Almanara on a former day: and while I offer my congratulations upon the successful issue of your enterprise, I cannot withhold my approbation of the persevering and determined conduct manifested by you and by Captain Lord Cochrane, as well as by the officers and companies of both the sloops on these occasions, and I request that my satisfaction may be communicated by you to his lordship, and that you and he will make the same known to the officers and companies of the ‘Kangaroo’ and the ‘Speedy.’

“I am, &c. &c.

“KEITH.

“Capt. Pulling, ‘Kangaroo.’”

On our return to Port Mahon with the prizes, the ‘Gamo’ had not been purchased by the Government; but, to my regret, this useful cruiser had been sold for a trifle to the Algerines, whilst I was condemned to continue in the pigmy and now battered craft by which she had been taken. To have obtained command of the ‘Gamo,’ even as a means of deception on the enemy’s coast, I would scarcely have changed place with an admiral.

But a more cruel thing still was in store for me. The commandant lived in the house of a Spanish merchant who had a contract for carrying the mails to Gibraltar. The vessel employed for this purpose was a notoriously bad sailer, and when the ‘Speedy’ was ready for sea, instead of being permitted to return to our cruising ground, she was ordered to convoy this tub of a packet to Gibraltar, with further instructions to take the letter-bag on board the ‘Speedy,’ protect the packet, put the mail on board her as soon as we arrived off the Rock, and return without holding any communication with the shore! the evident object of the last injunction being that the service which had been thrust upon us should not become known!

The expectation of the packet-master, doubtless, was that we should put to sea out of privateer reach. In place of this, we ran along the Spanish coast, our superior sailing enabling us, without delay, to scrutinize every creek as we passed. Nothing, however, occurred, till we were close in with a bay, or rather indentation of the shore near Alicant, where seeing some vessels at anchor, we made towards them, on which they weighed and deliberately ran ashore. To have stopped to get them off would have been in excess of our instructions. To set fire to them

was not, and as one was laden with oil, and the night following very dark, the result was a blaze which illumined the sky for many miles round.

Unluckily for us, three French line-of-battle ships, which afterwards turned out to be the 'Indomitable,' the 'Dessaix,' and the 'Formidable,' were in the vicinity, and being attracted by the light of the burning vessels, ran in shore to see what was the matter.

At daybreak, on the morning of July 3rd, these large ships were observed in the distance, calling up to our imaginations visions of Spanish galleons from South America, and accordingly the 'Speedy' prepared for chase. It was not till day dawned that we found out our mistake, the vessels between us and the offing being clearly line-of-battle ships, forbidding all reasonable hope of escape.

It was about four o'clock in the morning when we made out the French ships, which immediately on discovering us gave chase. Being to windward, we endeavoured to escape by making all sail, and, as the wind fell light, by using our sweeps. This proving unavailing, we threw the guns overboard, and put the brig before the wind; but notwithstanding every effort, the enemy gained fast upon us, and, in order to prevent our slipping past, separated on different tacks, so as to keep us constantly within reach of one or the other; the 'Dessaix,' being nearest, firing broadsides at us as she passed when tacking, at other times firing from her bow chasers, and cutting up our rigging.

For upwards of three hours we were thus within gunshot of the 'Dessaix,' when finding it impossible to escape by the wind, I ordered all the stores to be thrown overboard, in the hope of being able, when thus further lightened, to run the gauntlet between the ships, which continued to gain upon us.

Watching an opportunity, when the nearest line-of-battle ship was before our beam, we bore up, set the studding sails, and attempted to run between them, the French honouring us with a broadside for this unexpected movement. The 'Dessaix,' however, immediately tacked in pursuit, and in less than an hour got within musket-shot. At this short distance, she let fly at us a complete broadside of round and grape, the object evidently being to sink us at a blow, in retaliation for thus attempting to slip past, though almost without hope of escape.

Fortunately for us, in yawing to bring her broadside to bear,

the rapidity with which she answered her helm carried her a little too far, and her round shot plunged in the water under our bows, or the discharge must have sunk us; the scattered grape, however, took effect in the rigging, cutting up a great part of it, riddling the sails, and doing material damage to the masts and yards, though not a man was hurt. To have delayed for another broadside would have been to expose all on board to certain destruction, and as further effort to escape was impotent, the 'Speedy's' colours were hauled down.

On going aboard the 'Dessaix,' and presenting my sword to the captain, Christie Pallière, he politely declined taking it, with the complimentary remark that "he would not accept the sword of an officer who had for so many hours struggled against impossibility," at the same time paying me the further compliment of requesting that "I would continue to wear my sword, though a prisoner"—a request with which I complied; Capt. Pallière at the same time good-naturedly expressing his satisfaction at having terminated our exploits in the cruising line, they having, in fact, special instructions to look out for us. After this reception it is scarcely necessary to add that I was treated with great kindness by my captors.

Thus ended the thirteen months' cruise of the 'Speedy,' during which we had taken and retaken upwards of 50 vessels, 122 guns, and 534 prisoners.

After the capture of the 'Speedy,' the French line-of-battle ships stood along the coast, and proceeded with her, and the unlucky packet which had been the primary cause of the disaster, to Algesiras. During this passage I had ample opportunity of observing the superior manner in which the sails of the 'Dessaix' were cut, and the consequent flat surface exposed to the wind; this contrasting strongly with the bag reefs, bellying sails, and breadbag canvas of English ships of war at that period.

As there was no force at Gibraltar adequate to an attack of the French squadron, the authorities lost no time in transmitting intelligence of their arrival to Sir James Saumarez, then blockading the Spanish squadron in Cadiz. The French meanwhile proceeded to water and refit, evidently with the intention of passing the Straits with the first fair wind.

Quitting Cadiz, Sir James Saumarez immediately sailed for Algesiras with his squadron, consisting of the 'Cæsar,' 'Venerable,' 'Audacious,' 'Hannibal,' 'Superb,' 'Pompée,' 'Spencer,'

'Calpe,' and 'Thames,' these reaching the bay on the 6th of July.

At the time of their first appearance I was conversing with Captain Pallière in his cabin, when a lieutenant reported a British flag over Cabritta point, and soon afterwards the top-gallant masts and pendants of a British squadron became visible. We at once adjourned to the poop, when the surprise of the French, at the sight of a more numerous squadron, became not unreasonably apparent; Captain Pallière asked me "if I thought an attack would be made, or whether the British force would anchor off Gibraltar?" My reply was "that an attack would certainly be made, and that before night both British and French ships would be at Gibraltar," at the same time adding that when there, it would give me great pleasure to make him and his officers a return for the kindness I had experienced on board the 'Dessaix!'

The French admiral, however, determined that his ships should not be carried across the bay if he could help it. Before the British squadron had rounded the point, the French out boats, with kedges and stream anchors, for the purpose of warping in shore, so as to prevent the approaching squadron from cutting them out; but the order was so hurriedly executed, that all three ships were hauled aground, with their sterns presented to the approaching British force; a position which could not have been taken by choice, for nothing could apparently be more easy than to destroy the French ships, which, lying aground stern on, could only use their stern chasers.

To employ their consequently useless hands to some purpose, the French landed a considerable portion of their crews to man the Spanish batteries on the island, as the ships' guns could not be brought to bear. Two of the British ships anchored, and opened upon the French ships aground, but being exposed to the fire of some of the newly manned forts higher up the bay, the heavy guns of which were admirably handled by the French seamen, both the British vessels slipped their cables, and together with the remainder of the squadron, which did not anchor at all, backed their main-top-sails for the purpose of maintaining their position. The wind, however, blowing from the westward, with a rapid current sweeping round the bay, thwarted this intention, and the British squadron quickly drifted past the enemy, firing as they went.

Perhaps I ought previously to have mentioned an incident

demonstrative of the *sang froid* of my captor. After having satisfied himself that an action with a superior force was inevitable, Capt. Pallière remarked, "that it should not spoil our breakfast," in which he had invited me to join him. Before the meal was ended, a round shot crashed through the stern of the 'Dessaix,' driving before it a shower of broken glass, the *débris* of a wine bin under the sofa.

We forthwith jumped up from table, and went on the quarter-deck, but a raking shot from Sir James Saumarez's ship sweeping a file of marines from the poop, not far from me, I considered further exposure on my part unnecessary, and went below to a position whence I could nevertheless, at times, see what was going on.

The 'Hannibal,' having with the others forged past the enemy, gallantly filled and tacked with a view to get between the French ships and the shore, being evidently unaware of their having been hauled aground. The consequence was that she ran upon a shoal, and remained fast, nearly bow on to the broadsides of the French line-of-battle ships, which with the shore batteries and several gun-boats opened upon her a concentrated fire. This, from her position, she was unable to return. The result was that her guns were speedily dismounted, her rigging shot away, and a third of her crew killed or wounded; Captain Ferris, who commanded her, having now no alternative but to strike his colours—though not before he had displayed an amount of endurance which excited the admiration of the enemy.

A circumstance now occurred which is entitled to rank amongst the curiosities of war. On the French taking possession of the 'Hannibal,' they had neglected to provide themselves with their national ensign, and either from necessity or bravado rehoisted the English flag upside down. This being a well-known signal of distress, was so understood by the authorities at Gibraltar, who, manning all government and other boats with dockyard artificers and seamen, sent them, as it was mistakenly considered, to the assistance of the 'Hannibal.'

On the approach of the launches I was summoned on deck by the captain of the 'Dessaix,' who seemed doubtful what measures to adopt as regarded the boats now approaching to board the 'Hannibal,' and asked my opinion as to whether they would attempt to retake the ship. As there could be no doubt in my mind about the nature of their mission or its result, it was

evident that if they were allowed to board, nothing could prevent the seizure of the whole. My advice, therefore, to Captain Pallière was to warn them off by a shot—hoping they would thereby be driven back and saved from capture. Captain Pallière seemed at first inclined to take the advice, but on reflection—either doubting its sincerity, or seeing the real state of the case—he decided to capture the whole by permitting them to board unmolested. Thus boat by boat was captured until all the artificers necessary for the repair of the British squadron, and nearly all the sailors at that time in Gibraltar, were taken prisoners!

In this action the French and Spaniards suffered severely both as regarded ships and men, their masts and hulls being much knocked about, whilst several Spanish gun-boats were sunk. The wonder to me was that the British squadron did not anchor, for the French ships being aground, stern on, could have offered little resistance, and must have been destroyed. It is true that the batteries on shore were admirably served, and thus constituted a formidable obstacle; but had not the squadron drifted past the French ships, the latter might have been interposed between the batteries and the British force, when the fire of the former would have been neutralised, and the enemy's ships aground destroyed with comparatively little loss. It is not, however, my purpose or province to criticise the action, but simply to give the details, as personally witnessed from that extraordinary place, for a British officer, the deck of a French ship!

Neither the imprisonment of the captured crews, nor my own, was of long duration. The day after the action, Sir J. Saumarez sent Capt. Brenton into Algesiras Bay with a flag of truce, to endeavour to effect an exchange of the gallant Capt. Ferris, his officers, and crew. At that time there was no regulated system of exchange between the belligerent powers, but Capt. Brenton succeeded in procuring the release of the crew of the 'Hannibal' and the entrapped artificers, together with the officers and men of the 'Speedy.' Admiral Linois would not at first give me up, but, on further consideration, allowed me to go with the other officers to Gibraltar on *parole*. My complete release was eventually effected for the second captain of the 'St. Antonio,' taken shortly afterwards.

The French ships having lost no time in communicating with the Spanish admiral at Cadiz, he promptly appeared off Alge-

siras with a reinforcement of six ships of the line, several frigates, and gun-boats. The enemy having by this time warped off their grounded ships, as well as the 'Hannibal,' and having by the 12th got them in sea-going order, the whole sailed from Algesiras, followed by the British squadron, which, by great exertions, had been got in readiness for pursuit.

Of the action which subsequently took place I have no personal knowledge, other than that of a scene witnessed by myself from the garden of the commissioner's house, in which I was staying.

The enemy were overtaken at dusk, soon after leaving the bay, and when it had become dark, Captain Keats, in the 'Superb,' gallantly dashed in between the two sternmost ships, firing right and left, and passed on. Of course I do not assert myself to have been personally cognisant of the way in which the attack was made, the firing only being visible from the Rock, but that this is the correct version of the affair rests upon indisputable authority. The movement was so rapidly executed, that the 'Superb' shot ahead before the smoke cleared away, and the Spanish ships, the 'Real Carlos,' 112, and the 'San Hermenegildo,' 112, mistaking each other for the aggressor, began a mutual attack, resulting in the 'Real Carlos' losing her foretop-mast, the sails of which—falling over her own guns—caught fire. While in this condition the 'Hermenegildo'—still engaging the 'Real Carlos' as an enemy—in the confusion fell on board her and caught fire also. Both ships burned till they blew up, and nearly all on board perished; a few survivors only escaping on board the 'Superb' as Captain Keats was taking possession of a *third* Spanish line-of-battle ship, the 'San Antonio'—for whose second captain, as has been said, I was exchanged.

The remainder of the combined squadron got safely back to Cadiz after an encounter between the 'Formidable' and 'Venerable.' I am aware that the preceding account of the action with the French ships at Algesiras differs in some respects from that compiled by naval historians from the despatches; but this circumstance will not prevent me from giving my own version of a conflict in which it was my misfortune to be a reluctant spectator. The 'Real Carlos,' one of the ships blown up, bore the flag of the Spanish admiral, Moreno, who with Admiral Linois was said to be at the time on board a Spanish frigate,

CHAPTER VII.

ADMIRALTY RELUCTANCE TO PROMOTE ME.

Letter from Sir Alexander Cochrane.—Second letter from Sir Alexander.—Both written unknown to me.—Reluctance of Lord St. Vincent to promote me.—Letter from my father to Lord St. Vincent, urging my right to promotion.—Lord St. Vincent's reply.—Its fallacy.—His lordship's reasoning a subterfuge.—Promotion of my first lieutenant refused.—My imprudent remark to Lord St. Vincent, who becomes my enemy.—Further effort to promote Lieutenant Parker.—Admiralty refusal also.—Lieutenant Parker's eventual promotion, and subsequent shameful treatment.

IT has been already stated that not only was the action with the 'Gamo' for some time unnoticed in the customary manner, but the post rank to which the rule of the service entitled me from the result of the action, was withheld. My friends, being naturally surprised at the retention of what was no favour on the part of Lord St. Vincent, but my unquestionable right, respectfully pointed out to his lordship the nature of the services rendered.

The subjoined letter addressed to Lord St. Vincent by my kind uncle, Sir Alexander Cochrane, in reference to the 'Speedy's' escape from a Spanish frigate (see page 63), was written previous to that relating to the capture of the 'Gamo,' but is worthy of record on grounds generally connected with the naval service.

"MY LORD,—Yesterday we received accounts of your lordship's being placed at the head of the Admiralty, on which occasion I beg to offer my congratulations. I never subscribed to the opinion that a naval officer ought not to be First Lord of the Admiralty, and from your lordship's thorough knowledge of the service, we may now hope for that support on many occasions which we could not look for from those who—not having borne the brunt of the day, or being bred to the navy—could be but bad judges either of officers' characters, or the motives which on many occasions actuate them.

"Doubtless your lordship has already received numerous weighty applications for the promotion of young men in the service, nor would I presume to add to their number but from the obliging expressions your lordship once made me in favour of Lord Cochrane, had you remained longer on this station. I have the less reserve on this occasion, as I think his lordship has a claim to be made post, from the presence of mind by which he lately saved H.M.'s sloop 'Speedy,' which he at present commands. This I beg leave to recount.

"He had taken several prizes off Carthagena, when, one morning, he found himself close under the guns of a Spanish frigate.

"His only chance of escape was, either to board the frigate, in the

hope of finding her unprepared, or to pass off the 'Speedy' as a Danish sloop of war.

"With one of these objects he stood towards her under Danish colours, but on a near approach, found her too formidable to be carried by the few hands he had on board. On being hailed to know what brig it was, he gave, through the medium of a Danish quartermaster, the name of a Danish brig lately arrived on the station. On being ordered to come on board the frigate with his commission, he informed the Spaniards that his orders from the court of Denmark were not to send a boat on board any foreign man-of-war, but that if they had any doubts of his not being a Danish sloop of war, they were at liberty to board him.

"On this a boat left the frigate, but just as they were almost alongside the 'Speedy,' they were informed that she was in quarantine, being only a few days from Algiers, where the plague at that time existed. On this the Spanish officers in the boat refused to touch a rope, and returned to the frigate, when her captain told Lord Cochrane that he knew his brig and wished him a pleasant voyage.*

"I have ever been of opinion that rewards for bold services cannot be too great, and I must confess, that where one of his Majesty's ships is saved by presence of mind similar to what I have related, great praise is due to her commander.

"Your lordship will, I hope, excuse me for trespassing a little longer in favour of my nephew, who is now twenty-five years old, a time of life that promotion can only be of use. His father has expended his whole fortune in discoveries which will be of great use to the public—but the real sufferer is Lord Cochrane. The liberality of your lordship's mind will see this in its true light, and also plead my excuse for the liberty I have taken.

"Hoping that your lordship's health is reinstated, &c. &c.

"I am, your lordship's, &c. &c.

"ALEXANDER COCHRANE.

"The Right Hon. Lord St. Vincent."

I was not aware till recently that Sir Alexander had kindly made this application on my behalf. At the time the preceding letter was written he did not know of the capture of the 'Gamo;' the 'Ajax,' which he commanded, being then before Alexandria. On learning our success, he again wrote to Lord St. Vincent as follows:—

"'Ajax,' off Alexandria, June 10th, 1801.

"MY LORD,—I some time ago wrote your lordship in favour of my nephew Lord Cochrane, recommending his being made post.

"I hope your lordship received my letter, and that you viewed Lord Cochrane's conduct in the light I did. But if my persuasions were not then judged of sufficient weight, I may now with much confidence come forward and claim for my nephew the palm of victory in both ways, by an act hardly equalled in this war of naval miracles, considering the

* As the reader is aware, we had previously painted the 'Speedy' in imitation of the Danish brig.

great inequality of force between the 'Speedy,' with fifty-four men, and a xebec frigate of thirty-two guns and 319 men.

"Well knowing that nothing gives your lordship more pleasure than having an opportunity of rewarding merit, let the rank of the person be what it may, I am confident your lordship will, on the present occasion, do every justice to Lord Cochrane, though should his promotion have arisen from his former exploits it would be more grateful to my feelings, more especially as his subsequent conduct will do honour to your Lordship's appointment.

"I believe I told your lordship, in my former letter, that Lord Cochrane has the world before him. He has three younger brothers to take care of, one of whom boarded at his side* when the Spaniard was carried. Unfortunately he has not served his time; if he had I dare say your lordship would think him worthy of promotion for his conduct on that occasion.

"It will give me much pleasure to hear that your lordship's health is quite re-established, and that you may long live to enjoy it, is the sincere wish of

"Your lordship's

"Most obedient and humble servant,

"A. COCHRANE.

"P.S. I wish I could give your lordship any pleasing intelligence from this quarter; but ever since the death of Sir R. Abercromby, procrastination has been the order of the day. Never was a gallant army so lost as the present. God grant some man of sense may come out to command them, and save the remnant from destruction. Delay in this climate is worse than death; five men fall a sacrifice to disease for one in the field, and yet I don't think it unhealthy; our troops suffer from being encamped on burning sands."

Even this request from a distinguished officer—preferred unknown to me—failed to obtain what was no favour, but my right according to the invariable rule of the service. There was even then clearly some sinister influence at work, of the real cause for which I am to this day ignorant, and can only surmise that it might have arisen from my, no doubt, freely-expressed opinions on being appointed to convoy the wretched packet which led to my capture; or perhaps from the still more indiscreet plainness with which I had spoken of the manner in which the French fleet had been unfortunately permitted to escape Lord Keith.

Brenton, in his *Life of Lord St. Vincent*, thus alludes to the delay in my promotion: "*Lord St. Vincent was so much pressed on the subject of Lord Cochrane's promotion for taking the 'Gamo,' that it became almost a point of etiquette with the earl not to make him a captain!* An illustrious person is re-

* Archibald.

ported to have said, 'My lord, we must make Lord Cochrane "post;"' to which Lord St. Vincent replied, 'The First Lord of the Admiralty knows *no must*.'

There is no doubt that Captain Brenton received this account from Lord St. Vincent himself, and as the object of his book was to shield his lordship in questionable matters, we may receive this version as it was given to his biographer.

The only direct application that I was at the time aware of having been made was a letter from my father to Lord St. Vincent, *after* the post rank had been reluctantly conceded by placing me *at the bottom of the list*, below others previously my juniors in the service! My father's letter and Lord St. Vincent's reply are subjoined.

"No. 14, Mortimer-street, Sept. 23, 1801.

"MY LORD,—I beg leave, in behalf of my son, Lord Cochrane, who is now in Scotland, to bring under your lordship's view, for your consideration, some facts and circumstances which may not hitherto *officially* have come to your lordship's knowledge, from the perusal of which I flatter myself it will appear to your lordship that there are few instances of as much being performed by one individual in the like space of time, and with a force so inferior.

"When I first heard of Lord Cochrane's engagement with the 'Gamo,' I reckoned it as a matter not admitting of a doubt that your lordship would reward him by immediately appointing him to a post ship, and I was the more confirmed in this belief from the circumstance that the 'Gamo' *was not taken by surprise*, but at noonday, after an action of an hour and ten minutes; during all of which time the 'Gamo's' yards were locked with the 'Speedy's' rigging. The determination of the two vessels to engage was mutual; Lord Cochrane turned up his ship's company at five in the morning, and informed them of his intention to engage the Spanish frigate.

"The anxiety I must naturally feel for whatever concerns the honour and rank of my son, led me, on Wednesday last, to inquire at the Admiralty how his name stood on the post captains' list. And I must be allowed to state the surprise and disappointment I felt on finding several masters and commanders on the Mediterranean station—his juniors long before, and for several months after, the taking of the 'Gamo'—now placed before him on that list.

"I beg leave to call your lordship's attention to what Lord Cochrane's feelings must be, and what the situation he will be placed in on service from this supersession; and whether his being thus postponed in rank will not have a tendency to detract from the merit of one of the most gallant actions during this or any other war? And whether it may not induce the public at large, or the navy in particular, to believe that your lordships have had cause to disapprove of some part of Lord Cochrane's conduct?

"If all the circumstances of the engagement had come to your lordship's knowledge in due time, I am persuaded you would have shown an

additional mark of your approbation of Lord Cochrane by making him post from the date of the capture of the 'Gamo,' or, at least, that you would not have put over him a number of masters and commanders on the Mediterranean station, who, perhaps equally capable as he of distinguishing themselves, have not been equally fortunate in similar opportunities. I am likewise convinced, my lord, that those individual officers, who have thus been preferred to him, would not think it any matter of injustice that Lord Cochrane should retain, as post captain, the same seniority he held over them, both before and after his engagement, as master and commander.

"Allow me therefore to request that your lordship will be pleased to give Lord Cochrane that rank in the navy which it is presumed he would have held if the circumstantial accounts of his engagements had reached your lordship at an earlier date, or that he had not been so unfortunate as to have been taken by three French line-of-battle ships. I cannot suppose any censure is intended to attach to his conduct on that point: for, in the narrative of his capture, your lordship will see that during a chase of several hours upon a wind, he received the broadside and bow-chasers of a seventy-four gun ship, and did not strike until, at the distance of musket-shot, he received a full broadside of round and grape from the 'Dessaix.'

"I do not, however, my lord, rest my son's claim for seniority in promotion solely upon the capture of the 'Gamo.*' Although these particulars, from their being stated in Lord Cochrane's letters to Captain Dixon of the 'Généreux,' are known to your lordship, yet I cannot help here repeating them, as *from their not being published in the Gazette* a very erroneous opinion generally prevails that the 'Gamo' was taken by surprise, and not after so long and close an engagement as was really the case.

"But perhaps, my lord, I may in the whole of this letter have been impelled, by the ardour and anxiety of my own feelings, to urge that which your lordship's good intentions may have wholly anticipated towards Lord Cochrane. If so, my lord, I have only to entreat your excuse for a zeal on my part for the honour and character of my son, for which I hope parental sensations will plead a forcible apology.

"I have the honour, &c. &c.

"DUNDONALD.

"The Right Hon. Lord St. Vincent."

To this letter Lord St. Vincent next day replied as follows:—

"Admiralty, Sept. 24, 1801.

"MY LORD,—I can have no difficulty in acknowledging that the capture of the 'Gamo' reflects the highest degree of credit on Lord Cochrane and the officers and crew of the 'Speedy.'

"The first account of that brilliant action reached the Admiralty *very early in the month of August* (it was fought on the 6th of May), previously to which intelligence had been received of the capture of the 'Speedy,' by which Lord Cochrane was made prisoner.

* "He has," &c. &c. [Here follows a recapitulation of particulars, with which the reader is already acquainted.]

"Until his exchange could be effected, and the necessary inquiry into the cause and circumstances of the loss of that sloop had taken place, it was impossible for the Board, consistently with its usual forms, to mark its approbation of his lordship's conduct. Lord Cochrane was promoted to the rank of post captain on the 8th of August, the day on which the sentence of acquittal for the loss of the 'Speedy' *was received*—which was all that could under existing circumstances be done.

"Having entered into this explanation with your lordship, it remains for me only to add that, however disposed the Board might be to pay attention to the merits of his lordship, it could not, consistent with its public duty, give him rank from the time of the capture of the 'Gamo'—a measure quite unprecedented—without doing an act of injustice to other deserving officers.

"I have the honour, &c. &c.

"ST. VINCENT.

"The Earl of Dundonald."

I shall not shrink from canvassing this matter, the less because Lord St. Vincent has been represented as considering himself bored on the subject. An account of the capture of the 'Gamo' did reach the Admiralty, though later than it ought to have done, and was unjustifiably laid aside. Little that I effected was allowed to find its way into the *Gazette*! Even the log extracts given in the two last chapters, though relating to matters which occurred sixty years ago, are, for the most part, news to the public of the present generation.

But supposing that information relative to the capture of the 'Gamo' had not reached the Admiralty before the news of my being made prisoner, even then it clearly entitled me to post rank from *the date of my acquittal*. Lord St. Vincent asserted that it entitled me to promotion only from the date on which news of my acquittal *was received*! Reference to the Navy List at the time will show that the postponement of my rank was rather owing to the bane of the Admiralty—family influence, and that some of my former juniors were put over my head because it was politically imperative on the Board to promote others before me.

That my promotion to post rank for a previous action was impossible, because I had some time afterwards the misfortune, whilst in a trumpery sloop, to be captured by three French ships of the line; and therefore could not be promoted "*until my exchange could be effected*," was a subterfuge unworthy of Lord St. Vincent. Had this been the rule of the Admiralty, officers taken prisoners by the French could neither have been tried nor promoted, for *there was no system of exchange*, so that

the reward of their services would not depend upon the discretion of the Admiralty or the generosity of their country, but on the will of the enemy's Minister of Marine, who might detain them prisoners till the close of the war.

By Lord St. Vincent's interpretation of the Admiralty rule, I should not have been promoted *at all*, or even tried for the loss of the 'Speedy,' if, as Lord St. Vincent asserted, no promotion could be given till "my exchange was effected." The fact is, that I never was exchanged, in the Admiralty sense of the term; for at that period, as has been said, there was no exchange of prisoners with France, nor had any previously taken place for many years. The 'Hannibal's' and 'Speedy's' prisoners owed their liberation to the fact that the French did not know what to do with them; and I owed mine to the fact of Captain Keats having, a few days after I had been liberated on parole, taken a ship of the line, the 'San Antonio,' for whose second captain, by courtesy of Admiral Linois towards that officer, my liberation was effected.

Still it was not so much the neglect to promote me, of which proper complaint was made, as the injustice of placing over my head especially, a younger man and a junior officer, gazetted on the same day for a subsequent service, to the success of which he in no degree contributed.* Further discussion is unnecessary, my object being to show the principle, or rather want of it, which prevailed at the Admiralty where influence was concerned.

It must, however, be explained, that these remarks in no way apply to the officer promoted, but to the act of promotion. That officer was my former messmate, Lieutenant—afterwards Admiral—Dundas, a truly honourable man, whom, in later years, I was proud to call my friend. Strangely enough, the Admiralty which had placed him before me on the list, killed him in the end through grief at his inability to reform abuses; he having been called to the Board, where he worked so assiduously in the vain endeavour to purge the corruption around him, that his health became undermined, and he was one day found dead in a retiring room of the Augean establishment at Whitehall.

Before quitting the Mediterranean, a letter was addressed by

* The action in the Straits of Gibraltar, alluded to at page 80, when Captain Keats destroyed two line-of-battle ships, and captured a third, the remainder of the squadron being witnesses only.

me to Lord St. Vincent, requesting him to promote my gallant First Lieutenant Parker, who, as stated in my despatch, was severely wounded in boarding the 'Gamo.' No answer being returned to this application, up to the period of my arrival in England, another letter was forwarded to his lordship, which met with the same reception, and afterwards a third, which produced from Lord St. Vincent the reply that my application could not be entertained, for that "it was unusual to promote two officers for such a service,—besides which, the small number of men killed on board the 'Speedy' did not warrant the application."

It was impossible not to feel nettled at a reply so unexpected: that because few men had been killed on board the 'Speedy,' her first lieutenant was considered unworthy of promotion, though terribly cut up. To argue with a First Lord is no doubt an imprudent thing for a naval officer to attempt, and my remonstrance in this instance had such an effect as to get my name placed on the black list of the Admiralty, never again to be erased.

In my letter to Lord St. Vincent, the following incautious observations were made, viz. that "his reasons for not promoting Lieutenant Parker, because there were only three men killed on board the 'Speedy,' were in opposition to *his lordship's own promotion to an earldom*, as well as that of his flag-captain to knighthood, and his other officers to increased rank and honours: for that in the battle from which his lordship derived his title there was only *one man* killed on board his own flag-ship, so that there were more casualties in my sloop than in his line-of-battle ship."

From the receipt of that letter Lord St. Vincent became my bitter enemy, and not he only, but his successors thought it incumbent on them to perpetuate his lordship's displeasure. My reply was no doubt keenly felt at the time, when it was a common remark in the navy that the battle of St. Vincent was gained by the inshore squadron, under Nelson, the commander-in-chief being merely a spectator, at a distance which involved only the loss of one man in his own ship.

Notwithstanding this refusal of the First Lord to promote my lieutenant, my determination was to persevere with the Board collectively, and accordingly I addressed an official letter to the Secretary of the Admiralty, Mr. Nepean, embodying Lord St. Vincent's reply, and concluding, that "if their Lordships

judge by the small number killed, I have only to say that it was fortunate the enemy did not point their guns better;" indeed, had I not taken care to place the 'Speedy' in a position where the Spanish guns went over her, many would have swelled the list whom it was my happiness to have saved.

This letter was dated May 12th, 1802, and, receiving no reply, the annexed official letter was addressed to their lordships on the same subject :—

"14, Old Cavendish-street, May 17, 1802.

"MY LORDS,—The anxiety I feel for the promotion of a meritorious officer, Lieutenant Parker, late of the 'Speedy,' whose name I have not seen in the recent list of commanders, even though a very extensive promotion has taken place, induces me to address your lordships.

"Lieutenant Parker served as sole lieutenant of the 'Speedy' at the capture of the 'Gamo,' of 32 guns and 319 men, carried by boarding, after an action of upwards of an hour; during the greatest part of which time the yards and rigging of the vessels were locked together. In boarding and carrying the Spanish vessel he was severely wounded by a sword, run through his thigh, and a musket-ball lodged in his chest.

"I have always understood it to be an invariable rule with the Board of Admiralty, to promote officers of unimpeachable character who have distinguished themselves in action, or who have been first lieutenants of his Majesty's ships of war at the capture of vessels of superior force—especially of a force so very superior as that of the 'Gamo' to the 'Speedy;' the latter, as your lordships know, mounting 14 4-pounders, having on board only 54 men, whilst the force of the 'Gamo' was 32 guns, with a complement of men six times greater than that of the 'Speedy.'

"When these circumstances are brought to your lordships' recollection, I am fully convinced that you will see proper to reward Lieutenant Parker by appointing him to the rank of commander in his Majesty's service, which will tend to cherish and promote that spirit of exertion among the lieutenants, subordinate officers, and crew, without whose zealous co-operation the endeavours of the captain alone would prove of small avail.

"I have the honour to be, &c. &c.

(Signed)

"COCHRANE.

"To the Right Hon. the Lords Commissioners
of the Admiralty."

On the 26th of May the following reply was received from the Secretary :—

"Admiralty Office, 26th May, 1802.

"MY LORD,—I have received and read to my Lords Commissioners of the Admiralty your lordship's letter to me of the 17th inst., and the representation which accompanied it, and am commanded by their lordships to acquaint you that your application to me is perfectly regular, *but that it is not so for officers to correspond with the Board.*

"I am, &c. &c.

"Captain Lord Cochrane."

"E. NEPEAN.

Determined not to be foiled in what I conceived to be the right of Lieutenant Parker, I replied to the Secretary as follows:—

“Old Cavendish-street, May 27th, 1802.

“SIR,—I have been favoured with your letter acknowledging that you had received and read to the Lords Commissioners of the Admiralty my letter of the 17th inst., and that you are commanded by their lordships to acquaint me that my application to you was perfectly regular, but that it is not so for officers to correspond with the Board.

“I have, therefore, to request that you will inform the Lords Commissioners of the Admiralty, that, although I have received your letter, still I wait in expectation to be favoured with an answer to the representation which, through you, I had the honour to transmit to their lordships.

“I am, &c. &c.

“COCHRANE.

“E. Nepean, Esq., Sec. to the Admiralty.”

The reply to this necessarily cut short all further correspondence:—

“Admiralty Office, 29th May, 1802.

“MY LORD,—I have received and read to my Lords Commissioners of the Admiralty your letter of the 27th inst., and have nothing in command from their lordships to communicate to you.

“I am, &c. &c.

“EVAN NEPEAN.

“Captain Lord Cochrane.”

In spite of this rebuff, I nevertheless continued to persevere, but it was not till some years afterwards that the promotion of Lieutenant Parker was obtained, with a result to that able and gallant officer which proved his ruin, and eventually caused his death.

The circumstances under which this took place were positively diabolical. Despairing of promotion, Lieutenant Parker had retired to a little farm near Kinsale, by the cultivation of which, in addition to his half-pay, he was realizing an existence for his family. From my determined perseverance on his behalf, he was at length made commander, and ordered to join the ‘Rainbow’ sloop, represented to be stationed in the West Indies. Selling off everything, even to his household furniture, he proceeded to Barbadoes, and reported himself to Sir Alexander Cochrane; but, as the vessel could not be found, Sir Alexander furnished him with a passage to look for her at the Bermudas, where he supposed she might be fitting for sea. Not finding her there, Lieutenant Parker returned to Barbadoes, when it became evident that no such vessel was on the North American station.

On ascertaining this, poor Parker returned to England a ruined man. Lord Melville, who had succeeded as First Lord, expressed his surprise and regret that such a circumstance should have occurred, and promised the unhappy man that he should not only be amply compensated for the loss and expense attending his outfit and fruitless voyage to the West Indies, but that he should have another command on the first opportunity. This generous intention was however counteracted, for *he never received either the one or the other.*

Lieutenant Parker's loss, consequent to the sale of his property, the expense attendant on settling his family, together with his outfit and voyage, amounted to upwards of 1000*l.* His prospects ruined, his domestic arrangements destroyed, and his pride wounded, his spirit and constitution gradually gave way, and at length overwhelmed with sorrow he sank into a premature grave, leaving a wife and four daughters to deplore the loss of their only protector.

I never could find out who had thus imposed on one of the most gallant officers in the navy this infamous deception, concocted, doubtless, out of pure malevolence to myself. Be he whom he may, I am very sorry that it is not in my power to hold up his name to the execration of posterity. It is even at the present day the duty of the Admiralty to remedy the injury inflicted on his destitute family—for he had left four daughters unprovided for, who had no opportunity to escape from indigence.

CHAPTER VIII.

NAVAL ADMINISTRATION SIXTY YEARS AGO.

Political favouritism.—Refusal of further employment.—Naval corruption.—Dockyard practices.—Shameful treatment of prisoners of war.—Economy the remedy.—Results of medical economy.—Empty physic bottles.—Seamen's aversion to the service.—A post captain at college.

It will be evident on a perusal of the previous chapter, that there was no fixed principle for the promotion of officers who had distinguished themselves, but that however desirous the Board might be to reward their services, it was in the power of persons holding inferior offices to thwart the intentions of the Board itself.

Were such a principle admitted, nothing could be more detrimental to the service. Let every officer know the regulated reward for a national service, with the certainty that he cannot

be deprived of it, and rely upon it, that whenever opportunity presents itself, the service will be performed. There is nothing mercenary, or even selfish about this; but, on the contrary, an ambition which should be carefully fostered.

In my own case, I can conscientiously avow my leading motive to have been that of exerting myself to the utmost in the hope of thereby attaining promotion in my profession, to which promotion the capture of an enemy's frigate, as well as of a large number of privateers and other vessels, had entitled me, according to a judicious rule for the encouragement of efforts useful to the nation—to a place on the list, from which I conceived myself unjustly excluded by the promotion of a younger man, a junior commander too, for no greater apparent reason than that of his father being a personal and political friend of the First Lord of the Admiralty.

To those who may think my conduct towards the First Lord and the Board disrespectful, I can only say that were my life to begin anew, with my present experience of consequences, I would again pursue the same course. I cannot imagine anything more detrimental to the interests of the navy and the nation, than political favouritism on the part of the Admiralty—of itself sufficient to damp that ardour which should form one of the first requisites for future command. I would rather say to the young officer—"If you have, in the exercise of your profession, acquired a right which is wrongfully withheld—demand it, stick to it with unshaken pertinacity;—none but a corrupt body can possibly think the worse of you for it; even though you may be treated like myself—you are doing your country good service by exposing favouritism, which is only another term for corruption."

Favouritism on the part of the Admiralty must ever be the bane of the navy, and may prove its ruin. Either let it be understood that the institution is a parliamentary vote market, or that it is what it ought to be—an institution for the promotion of zeal by the reward of merit. Only let it not sustain both characters, or between the two stools the country may one day go to the ground.

Such was the offence taken by the authorities at my persistence in my own right, and in that of the officers under my command, that an application to the Board for another ship met with refusal; and as it was clear that Lord St. Vincent's administration did not again intend to employ me, the time on my

hands was devoted to an investigation of those abuses which were paralyzing the navy; not that this was entered upon from any spirit of retaliation on the Admiralty, but as preparatory to the more ambitious aim of getting into Parliament, and exposing them.

One of the most crying evils of our then naval administration had fallen heavily upon me, though so young in command—viz. the Admiralty Courts; but for the peculations consequent on which, the cruise of the ‘Speedy’ ought to have sent home myself, officers, and crew, with competence. As it was, we got all the fighting, whilst the Admiralty Court and its hungry parasites monopolized the greater portion of our hard-won prize-money. In many cases they took the whole! and in one case brought me in debt, though the prize was worth several thousand pounds!

Hitherto no naval officer had ventured to expose, in Parliament or out of it, this or indeed any other gross abuse of the naval service; and having nothing better to do, want of employment appeared to offer a fitting opportunity for constituting myself the Quixote of the profession; sparing no pains to qualify for the task, though well aware of its arduous, if not hopeless nature—as directed against a mass of corruption, such as—it is to be hoped—may never again strike at the noblest arm of our national safety a blow worse than any enemy can inflict.

After what has been stated with regard to my unpleasant relations with Lord St. Vincent and his Board of Admiralty, it will perhaps be better not personally to enter on the subject of then existing naval abuses, lest I might be suspected of exaggerating their extent. Some such explanation is necessary in justification of the course which I subsequently thought it my duty to pursue, but it will answer every purpose to have recourse to the experience of a contemporary officer—Captain Brenton, the biographer of Lord St. Vincent—in justification of my self-imposed task:—

“In the first edition of the Naval History, I have commented on the profligate system of hired vessels and transports. In this—borough influence reigned paramount, and the most solid information was disregarded when the perpetrator of the greatest frauds was a supporter of Government.”—(BRENTON’S *Life of Lord St. Vincent*, p. 167.)

“A ship purchased by a man of influence was a certain fortune to him. He cleared his money in the first year at the rate of 400*l.* per month, and if the ship were coppered at 7500*l.* per annum. About twenty copper-bottomed transports were lying for three years in the harbour of Messina, without being employed in any duty.”—(p. 169.)

The expense of these alone, no doubt all owned by "men of influence" as Captain Brenton terms them, was for the three years 270,000*l*. As these transports formed only a trifling illustration of the system, there is little wonder at the enormous accumulation of the national debt, for results so inadequate.

Captain Brenton might have gone farther, and stated with great truth, that not only were transports hired from men of influence, but that vessels utterly worthless were purchased by the Government from their political supporters, and then patched up into ships of war! It was my misfortune to be subsequently appointed to a *collier* so converted—with what result will appear in the sequel.

From the ships let us follow Captain Brenton into the dockyards:—

"When Mr. Colquhoun, in his celebrated police reports, stated that the Government was plundered from the dockyards at the rate of *a million a year*, he was supposed to have exceeded all probability. I am satisfied he was under the mark, and if the *consequences* of these frauds are added to the amount of peculation, the aggregate will be frightful. The manner in which the villany was carried on was dreadful indeed. *Whole ships' crews were destroyed at one fell swoop*. Every ship was supposed to have a certain number of bolts driven to secure her fabric. The tops and points of the bolts only were driven, and the rest was carried away. It is probable that the loss of the 'York' of 64 guns, and the 'Blenheim' of 74 guns, was the consequence. The 'Albion,' 74, we know to have been nearly lost by this hellish fraud."—(BRENTON, pp. 159, 160.)

"I can remember what our slop clothing was, for which the poor seamen were charged an extravagant price; the contract being *always given as a matter of favour for electioneering purposes*."—(p. 156.)

"Not only were the grossest impositions practised in the supply of the most important stores, by sending in damaged goods, but even the raw materials were *again sold* before they reached their destination."—(p. 157.)

"At the cooperage of Deptford, 1020*l*. 10*s*. 5*d*. was charged for work proved to be worth only 37*l*. 2*s*. 3*d*. At the cooperage at Plymouth, the king's casks were stolen, and sixty-four of them were found in one brewery."—(p. 183.)

"It was a common expression with the receiving clerks that they '*had not been hampered*—' when they refused to receive articles into store. The '*hampering*' meant a bribe in the shape of wine or other articles, as the price of their certificates."—(p. 155.)

"It would scarcely be believed to what extent peculation was carried on in every department."—(p. 155.)

"Hampers of wine and ale were liberally supplied to the inspectors of timber, and I conclude that the same treatment was applied to the measuring clerks of the dockyard."—(p. 179.)

"From the foregoing it may be inferred that the dockyards were the most fruitful sources of plunder and national ruin."—(p. 180.)

"Report No. 6 relates to the dockyards, wherein a shameful system of plunder had long existed."

"Reports 10 and 11 state other abuses to an enormous extent, so that Lord St. Vincent used the elegant expression that '*our dockyards stank of corruption.*'"—(p. 190.)

From this disgraceful picture let us pass on to another still more revolting:—

"The victualling establishment at home was not less corrupt. The charge for the supply of prisoners of war was ample, but three-fourths of the amount was pilfered. The same nefarious system pursued in the hospitals abroad was followed at home in a more guarded manner, and *fortunes were made* by cheating the sick and wounded seamen out of the comforts and necessities allowed them by a grateful country. Lord Cochrane endeavoured to procure better rations and treatment for the French prisoners, but the charge of sick and wounded prisoners of war fell in its administration into the hands of a set of villains whose seared consciences were proof against the silent but eloquent pleadings of their fellow-creatures."—(p. 165.)

"Report No. 7 relates to the hospitals, beginning with Stonehouse at Devonport. Here was discovered waste, corruption, fraud, extravagance, and villany to a disgusting extent. Four thousand gallons of porter were consumed in six months, being more than four times the proportion used in Haslar. On board the '*Calne*' hulk, appropriated to sick prisoners of war, the surgeon's chief assistant kept a table for the officers at the cost of 1500*l.* or 2000*l.* a year. He could afford the purser a large salary, in lieu of his share of the profit of the concern. The worst and most scandalous feature was, that when the wretches in the wardroom were rioting in luxury they were consuming the necessities which the Government had liberally supplied for the use of the sick prisoners of war.

"I hope there is sufficient virtue in Parliament to punish *great delinquents*, if not the country will not stagger long under the practice of these blood-sucking leeches."—(*Letter of Lord St. Vincent, quoted by Brenton.*)

Abroad the condition of affairs was infinitely worse, both as regarded the navy and army. The following extract from the "*Annual Register*," at a period when the press hardly dared to speak truth, will serve as a sample of the practices prevailing wherever an official staff was to be found:—

"The abuses committed in the West Indies are said to exceed everything that was ever stated in romance. The commissioners are stated to have discovered that forged bills and receipts, for articles never purchased, and bills drawn on Government indorsed under forged and fictitious names, were common and notorious. They found a most base collusion between the officers of Government and the merchants and contractors, by which the latter were allowed to charge stores at a much higher rate than they might have been obtained for in the market. In one instance it was discovered, that to conceal this iniquity, a bribe of 18,000*l.* had been given; in another a bribe of 35,000*l.*

Vessels, houses, stores, &c., were usually hired at most extravagant rates, in consequence of fraudulent contracts, where others might have been obtained much cheaper. But worse than either of these iniquities was the diabolical fraud of suffering the merchants and contractors to furnish his Majesty's troops with inferior and bad rum, and other articles, at an extravagant rate, by which the lives of the troops were endangered, as well as the country defrauded. And, for the purpose of committing these practices, all free competition for the supply of articles was prevented; and every obstacle was put in the way, even of the purchase of bills on the Treasury. They were dated in one island and negotiated in another; and they were sold at a much more advantageous exchange than that at which the officers debited themselves in their accounts."

There is no doubt but that Lord St. Vincent was desirous of putting a stop to this national plunder, and the wholesale destruction of sick, wounded, and prisoners, which was its direct consequence; but the means he took were inadequate. His lordship's remedy was "*economy!*" leaving the influential delinquents in quiet possession of their places. The most extravagant contracts and profuse expenditure of the public money were thus to be cured by no expenditure at all on necessary objects.

One of Lord St. Vincent's agents in this notable scheme was a Dr. Baird, who possessed his lordship's highest confidence. To this person was confided the task of regenerating the hospitals. As may be supposed, from his profession, economy in medicine was the first step. An order was issued that blue ointment and pills, requisite only for complaints that might be avoided, were doled out in *minimum* quantity. The consequence was, that the captains and surgeons of ships of war had to purchase these essential medicines out of their own pockets! more especially as a subsequent order was issued that no such complaints should be treated in the hospitals!

A more barbarous regulation was enforced, viz. that from the expense of *lint* in dressing wounds, *sponge* should be substituted, as it might be used over again! The result was that even slight cases became infected by the application of sponges which had been used on putrescent sores, and this shameful practice cost the lives or limbs of many. I was myself on a survey at the Devonport hospital, where seven persons had lost limbs from this cause! and proposed to the other surveying captains to draw up a representation to the Admiralty on the consequences of applying infected sponge; but the advice was not followed for fear of giving offence.

One of the unfortunate sufferers, amongst others, was a son of

the boatswain or gunner of the then flagship, the 'Salvador del Mundo.' The poor boy had bruised his shin, to which an infected sponge was applied, and he lost his leg! Persons so mutilated had no claim on the service for pension or reward. It was this very hospital to which Captain Brenton, in the preceding extracts, applied the terms "waste, corruption, fraud, extravagance, and villany to a disgusting extent." The remedy was the application of infected sponge!!

Dr. Baird had the oddest possible notions of the mission with which he was entrusted. As to striking at the root of an evil, he had not the most remote conception, otherwise than by saving. He one day said to me: "The extravagance of this place is incredible. I have to-day found what will save one thousand pounds." "Ah, Doctor," said I, "what is that?" "Why," replied he, "would you believe it, in the cellars under the hospital I have found tens of thousands of empty physic bottles! Did you ever hear of such waste!" And the doctor set busily to work to dispose of the empty bottles in order to pay for his medicines,—this being his idea of correcting the most crying evil of the hospital.

A still more absurd instance of the doctor's economy gave rise at the time to considerable amusement. Everybody knows that a sailor requires as much looking after as a child. It was Jack's practice, when sick in hospital, to get out and scale a wall for the purpose of smuggling in spirits, these of course undoing the little that medical treatment could effect. To put an end to the practice, the authorities had ordered the wall to be raised, but Dr. Baird stopped the work, because a coating of broken glass-bottles on the top of the old wall would be more economical to the nation and equally effectual! A *chevaux de frise* of broken glass was accordingly put on, but, to the doctor's annoyance, Jack, with a brickbat, pounded up the broken glass, and got to the spirit shop as before. Whereupon the doctor declared his belief that "sailors were as far gone in wickedness as the hospital authorities themselves."

These were the kinds of reform adopted, the ultimate result being that Lord St. Vincent was more blamed than had been any of his predecessors, and was, on quitting the Admiralty, driven to the undignified alternative of *filing a string of affidavits in the King's Bench in defence of his character*!*

* See Brenton, vol. ii. p. 356.

Much has been said about the difficulty of manning the navy, by persons who had not a knowledge of the arbitrary and cruel practices above mentioned, and of many others on which it would be tedious to dilate, but which, under pretence of zeal for the promotion of the service, rendered the service at that time almost intolerable. No man acquainted with the facts can wonder that interminable cruises, prohibition to land in port, constant confinement without salutary change of food, and consequent disease engendering total debility, should have excited disgust, and even terror of a sailor's life; to which may be added, the condemnation of invalids to harbour duty, far more severe than duty afloat, with no chance of escape but by a return to actual service, where, strange to say, though unfit, such men were again received!

The instances of abuses just given form but a brief outline of the state of the navy at that period. From these the reader may imagine the rest. Suffice it to say, that I used all diligence to store both my memory and note-book with facts, to be used when I might be able to expose them with effect.

No opportunity, however, immediately occurring, I betook myself to the College of Edinburgh, then distinguished by possessing some of the most eminent professors in the kingdom. In the early part of this volume the desultory and imperfect education which fell to my lot has been noticed. It had, nevertheless, sufficed to convince me of the truth of the axiom that "knowledge is power," and also to decide that in my case power if proportioned to knowledge could be of no very high order. It was therefore my determination to increase both to the best of my ability.

It was, perhaps, an unusual spectacle for a post-captain fresh from the quarter-deck, to enter himself as a student among boys. For my self-imposed position I cared nothing, and was only anxious to employ myself to the best advantage. With what success may be judged from the fact of my never being but once absent from lectures, and that to attend the funeral of a near relative.

Whilst at Edinburgh I made few acquaintances, preferring secluded lodgings and study without interruption to the gaiety of my contemporaries. Besides which, if my object of getting into Parliament were to be accomplished, it was necessary to be economical, since all that the Admiralty Court had been pleased to leave me of my prize-money would not more than suffice to

satisfy the yearnings of a small borough, for which the only hope of election was by outbribing my antagonists.

Amongst my contemporaries at the Edinburgh College was Lord Palmerston, who resided with the most eminent of the then Scotch professors, Dugald Stewart, and attended the classes at the same time with myself.

I might also mention others, of whose society in after life I should have been proud, had not the shameful treatment which it was afterwards my lot to experience from a corrupt faction, driven me from society at a time when it ought to have afforded me a welcome relaxation from hard and unintermitting exertions in the service of my country.

CHAPTER IX.

EMPLOYMENT IN THE 'ARAB.'

Appointment to the 'Arab.'—Projected invasion by Napoleon.—The 'Arab' ordered to watch the French coast.—Then to cruise in the North Sea.—Retirement of Lord St. Vincent.

ON the renewal of war with France in 1803, application was made by me to the Admiralty for a ship, first taking the precaution to visit the various dockyards to see what vessels were ready, or in preparation. My object was to obtain a suitable vessel, which should enable me to operate inshore and harass the French coast in the Atlantic, as the 'Speedy' had done the Spanish coast in the Mediterranean. My success there formed sufficient warrant for such an application, as, previous to the Peace of Amiens, the enemy's coasting trade from Bayonne to Boulogne had been carried on almost with impunity.

My application was made to Lord St. Vincent, who informed me that at present there was no vessel available. Having ascertained beforehand what vessels were in preparation for sea, I began to enumerate several, all of which his lordship assured me were promised to others. On mentioning the names of some in a less forward state, an objection was raised by his lordship that they were too large. This was met by a fresh list, but these his lordship said were not in progress. In short, it became clear that the British navy contained no ship of war for me.

I frankly told his lordship as much, remarking that as "the Board was evidently of opinion that my services were not required, it would be better for me to go back to the College of

Edinburgh and pursue my studies, with a view of occupying myself in some other employment." His lordship eyed me keenly, to see whether I really meant what I said, and observing no signs of flinching,—for beyond doubt my countenance showed signs of disgust at such unmerited treatment,—he said, "Well, you shall have a ship. Go down to Plymouth, and there await the orders of the Admiralty."

Thanking his lordship, I left him, and repairing to Plymouth, found myself appointed to the 'Arab.' There was some difficulty in finding her, for my sanguine imagination had depicted a rakish craft, ready to run over to the French coast, and return with a goodly batch of well-laden coasters. In place of this, a dockyard attendant showed me the bare ribs of a collier, which had been purchased into the service in the manner described by Captain Brenton, as quoted in the last chapter. I would not have cared for this, but a single glance at the naked timbers showed me that, to use a seaman's phrase, "she would sail like a haystack." It was not my wish however to complain, but rather to make the best of the wretched craft provided for me; and therefore there was nothing to be done but to wait patiently whilst she was completed,—for the most part with old timber from broken-up vessels.

As soon as the 'Arab' was ready for sea, instead of being permitted to make a foray on the French coast—for which, however, she was ill-adapted—orders were given to take a cruise round the Land's End, into St. George's Channel, and return to Plymouth.

This experimental service being accomplished, without result of any kind, although we sighted several suspicious vessels, which from our bad sailing qualities we could not examine; on our return, the 'Arab' was ordered to join the force then lying in the Downs, quietly watching the movements of the enemy on the opposite coast.

Though Napoleon had not a marine capable of competing with ours, he had, during the last war, become aware that any number of French gun-boats could sail along their own coasts under the protection of the numerous batteries, and hence he conceived the project of uniting these with others at Boulogne, so as to form collectively a flotilla capable of effecting an invasion of England, whose attention was to be divided by an attempt on Ireland, for which purpose an army and fleet were assembled at Brest.

The means by which this invasion of the Kentish or Sussex coast was to be effected is worth adverting to. The various towns of France were invited to construct flat-bottomed boats, to be distinguished by the names of the towns and departments which furnished them. They were divided into three classes, and transported to the nearest port-town, thence coastwise to Boulogne, there to be filled with troops, and conveyed to the English shores by ships of war. It has been the custom to deride this armament, but had it not been for Nelson's subsequent victory at Trafalgar, I see no cause to doubt that sooner or later it might have been successful. In our day of steam-ships the way to prevent the success of a similar project is by the maintenance of a navy more efficiently manned than modern governments appear to think necessary for national safety.

I do not mean efficiency as to the *number* of vessels of war—for in my early day the number was very great, but their efficiency, from causes already mentioned, very trifling. I mean, rather, that every care should be taken to keep a sufficient number in a high state of discipline; but above all, that the stimulus of reward for merit should be so applied, as that parliamentary influence should not interfere with officers, nor a paltry hankering after saving with the crews.

The 'Arab' was sent to watch the enemy in Boulogne. To those acquainted with the collier build, even as they appear in the Thames to this day, it is scarcely necessary to say that she would not work to windward. With a fair wind it was not difficult to get off Boulogne, but to get back with the same wind was—in such a craft—all but impossible. Our only way of effecting this was, by watching the tide, to drift off as well as we could. A gale of wind anywhere from N.E. to N.W. would infallibly have driven us on shore on the French coast.

Under such circumstances, the idea of effectively watching the port, as understood by me,—viz. to look out for troop-boats inshore,—was out of the question, our whole attention being necessarily directed to the vessel's safety. Considering this compromised, I wrote to the admiral commanding, that the 'Arab' was of no use for the service required, as she would not work to windward, and that her employment in such a service could only result in our loss by shipwreck on the French coast.

My letter was no doubt forwarded to the Admiralty, for shortly afterwards an order arrived for the 'Arab' to convoy the Greenland ships from Shetland, and then to cruise in the North Sea,

to *protect the fisheries*. The order was, in fact, to cruise to the N.E. of the Orkneys, *where no vessel fished, and where consequently there were no fisheries to protect!!!* Not so much as a single whaler was seen from the mast-head during the whole of that lonely cruise, though it was as light by night as by day.

The Board had fairly caught me, but a more cruel order could not have been devised by official malevolence. It was literally naval exile in a tub, regardless of expense to the nation. To me it was literally a period of despair, from the useless inactivity into which I was forced, without object or purpose, beyond that of visiting me with the weight of official displeasure.

I will not trouble the reader with any reminiscences of this degrading command, or rather dreary punishment, for such it was no doubt intended to be, as depriving me of the opportunity of exerting or distinguishing myself; and this for no better reason, than my having most truly, though perhaps inconsiderately, urged, in justification of the promotion of the gallant lieutenant of the 'Speedy,' that all Lord St. Vincent's chief officers had been promoted for an action in which fewer men fell in a three-decker than in my brig.

Of this protracted cruise it is sufficient to state that my appointment to the 'Arab' was dated October 5th, 1803, and that she returned to England on the 1st of December, 1804, a period which formed a blank in my life.

On my arrival, Lord St. Vincent, fortunately for me, had quitted, or rather had been compelled to retire from the Admiralty. The late Duke of Hamilton, the premier peer of Scotland, and my excellent friend, was so indignant at my ignominious expulsion from active service, where alone it would be beneficial to the country, that, unsolicited by any one, he strongly impressed upon Lord Melville, the successor of Lord St. Vincent, the necessity of relieving me from that penal hulk, the 'Arab,' and repairing the injustice which had been inflicted on me, by employing me on more important service. Lord Melville admitted the injustice, and promptly responded to the appeal, by transferring me from the wretched craft in which I had been for fifteen months in exile—to the 'Pallas,' a new fir-built frigate of 32 guns.

CHAPTER X.

CRUISE OF THE 'PALLAS.'

Orders of the 'Pallas' embargoed.—Capture of the 'Carolina.'—Arrival of the prizes.—Capture of papal bulls.—A chase.—Admiral Young.—Election for Honiton.—Novel election tactics.—Become a reformer.—Painful results.

ON my appointment to the 'Pallas,' Lord Melville considerably gave me permission to cruise for a month off the Azores under Admiralty orders. The favour—the object of which was to give me an opportunity of trying my luck against the enemy, independent of superior command—was no doubt granted in consideration of the lengthened, not to say malevolent, punishment to which I had been condemned in the 'Arab.'

My orders were to join my ship at Plymouth, with a promise that my instructions should be forwarded. In place of this, and in disregard of Lord Melville's intention, the Admiralty orders were embargoed by the Port Admiral, Sir W. Young, who had taken upon himself to recopy them, and thus to convert them into orders *issued under his authority*. The effect was, to enable him to lay claim to the admiral's share of any prize-money that we might make, even though captured out of his jurisdiction, which extended no further than the Sound.

The mention of this circumstance requires brief comment, in order to account for the result which followed. Perhaps the most lucid explanation that can be given will be an extract from a letter of Lord St. Vincent to the Admiralty when in command of the Channel fleet. "I do not know," says Lord St. Vincent, "what I shall do if you feel a difficulty to give orders to despatch such ships as you may judge necessary to place under my command. I have a notion that he (Admiral Young) *wishes to have the power of issuing orders for their sailing, in order to entitle him to share prize-money!*" (BRENTON, vol. ii. p. 249.) From this extract from Lord St. Vincent, it is evident that if Admiral Young, according to the system then prevailing, had the power—as on his lordship's authority unquestionably appears—of paralyzing the operations of a whole fleet, on the question of sharing prize-money, remonstrance on my part against the violation of Admiralty promises, made by Lord Melville himself, would have been disregarded. Nothing was therefore left but to submit.

The first object was to equip the 'Pallas' with all speed; and for this we were obliged to resort to impressment, so much had my do-nothing cruise in the 'Arab' operated against me in the minds of the seamen. Having, however, succeeded in impressing some good men, to whom the matter was explained, they turned to with great alacrity to impress others; so that in a short time we had an excellent crew. This was the only time I ever found it necessary to impress men.

As the cruise off the Western Islands—when arrived there—was restricted to a month, it was matter of consideration how to turn such orders to the best account, without infringing on the letter of my instructions. We therefore crossed the Bay of Biscay, and having run to the westward of Cape Finisterre, *worked up* towards the Azores, so as to fall in with any vessels which might be bound from the Spanish West Indies to Cadiz.

Scarcely had we altered our course, when, on the 6th of February, we fell in with and captured a large ship, the 'Carolina,' bound from the Havannah to Cadiz, and laden with a valuable cargo. After taking out the crew, we despatched her to Plymouth.

Having learned from the prisoners that the captured ship was part of a convoy bound from the Havannah to Spain, we proceeded on our course, and on the 13th captured a second vessel, which was still more valuable, containing, in addition to the usual cargo, some diamonds, and ingots of gold and silver. This vessel was sent to Plymouth as before.

On the 15th, we fell in with another, 'La Fortuna,' which proved the richest of all, as, besides her cargo, she had on board a large quantity of dollars, which we shifted into the 'Pallas,' and sent the ship to England.

On the 16th, we captured a fine Spanish letter-of-marque, with more dollars on board; but as a heavy sea then running prevented us from taking them on board the 'Pallas,' these were therefore despatched with her to Plymouth.

Whilst securing the latter vessel, we observed at sunset an English privateer take possession of a large ship. On seeing us—evidently knowing that we were an English man-of-war, and therefore entitled to share in her capture—the privateer crowded all sail and made off with her prize in company. Unluckily for this calculation, the prize was subsequently taken by a French squadron, when it turned out that the captured vessel—the

'Preciosa'—was the richest of the whole Spanish convoy, having, in addition to her cargo, no less than a million dollars on board. Singularly enough, the privateer belonged to my agent, Mr. Teed, from whom I afterwards learned the value of the vessel which his captain's mistaken greed had sacrificed.

The sensation created on the arrival of the prizes at Plymouth was immense, as the following curious extracts from a local paper will show.

"*February 24.*—Came in the 'Carolina' from Havannah, with sugar and logwood. Captured off the coast of Spain by the 'Pallas,' Captain Lord Cochrane. The 'Pallas' was in pursuit of another with a very valuable cargo when the 'Carolina' left. His lordship sent word to Plymouth, that if ever it was in his power, he would fulfil his public advertisement (stuck up here) for entering seamen, of filling their pockets with Spanish 'pewter' and 'cobs,' nicknames given by seamen to ingots and dollars."

"*March 7.*—Came in a rich Spanish prize, with jewels, gold, silver, ingots, and a valuable cargo, taken by the 'Pallas,' Captain Lord Cochrane. Another Spanish ship, the 'Fortuna,' from Vera Cruz, had been taken by the 'Pallas,' laden with mahogany and logwood. She had 432,000 dollars on board, but has not yet arrived."

"*March 23.*—Came in a most beautiful Spanish letter-of-marque of fourteen guns, said to be a very rich and valuable prize to the 'Pallas,' Captain Lord Cochrane."

A still greater sensation was excited by the arrival of the 'Pallas' herself, with three large golden candlesticks, each about five feet high, placed upon the mast-heads. The history of these is not a little curious. They had been presented by the good people of Mexico, together with other valuable plate, to some celebrated church in Spain, the name of whose patron saint I forget, and had been shipped on board one of the most seaworthy vessels.

Their ultimate destination was, however, less propitious. It was my wish to possess them, and with this view an arrangement had been made with the officers and crew of the 'Pallas.' On presenting the candlesticks at the Custom-house, the authorities refused to permit them to pass without paying the full duty, which amounted to a heavier sum than I was willing to disburse. Consequently, although of exquisite workmanship, they were broken in pieces, and thus suffered to pass as old gold.

The following incident relating to the capture of one of the vessels had escaped my recollection, till pointed out in the *Naval Chronicle* for 1805. It is substantially correct.

“Lord Cochrane, in his late cruise off the coasts of Spain and Portugal, fell in with, and took, ‘La Fortuna,’ a Spanish ship bound to Corunna, and richly laden with gold and silver to the amount of 450,000 dollars (132,000*l.*), and about the same sum in valuable goods and merchandise. When the Spanish captain and his supercargo came on board the ‘Pallas,’ they appeared much dejected, as their private property on board amounted to the value of 30,000 dollars each. The captain said he had lost, in the war of 1779, a similar fortune, having then been taken by a British cruiser, so that now, as then, he had to begin the world again. Lord Cochrane, feeling for the dejected condition of the Spaniards, consulted his officers as to their willingness to give them back 5,000 dollars each in specie. This being immediately agreed to, his lordship ordered the boatswain to pipe all hands, and addressing the men to the like purpose, the gallant fellows sung out, ‘Aye, aye, my lord, with all our hearts,’ and gave the unfortunate Spaniards three cheers.”

Another curious circumstance must not be passed over. In one of the captured vessels was a number of bales, marked “*invendibles*.” Making sure of some rich prize, we opened the bales, which to our chagrin consisted of pope’s bulls, dispensations for eating meat on Fridays, and indulgences for peccadilloes of all kinds, with the price affixed. They had evidently formed a venture from Spain to the Mexican sin market, but the supply exceeding the demand, had been reconsigned to the manufacturers. We consigned them to the waves.

On our way home we were very near losing our suddenly acquired wealth and the frigate too. Whilst between the Azores and Portugal, one of those hazes common in semi-tropical climates, had for some time prevailed on the surface of the sea, the mast-heads of the ship being above the haze, with a clear sky. One day the look-out reported three large ships steering for us, and on going aloft I made them out to be line-of-battle ships in chase of the ‘Pallas.’ As they did not show any colours, it was impossible to ascertain their national character, but, from the equality of the fore and maintopgallant masts, there was little doubt they were French.

The course of the frigate was immediately altered, and the weather changing, it began to blow hard, with a heavy sea.

The ‘Pallas’ was crank to such a degree, that the lee main-deck guns, though housed, were under water, and even the lee quarter-deck carronades were at times immersed.

As the strange ships were coming up with us hand over hand, the necessity of carrying more sail became indispensable, notwithstanding the immersion of the hull.

To do this with safety was the question. However, I ordered all the hawsers in the ship to be got up to the mast-heads and

hove taut. The masts being thus secured, every possible stitch of sail was set, the frigate plunging fore-castle under, as was also the case with our pursuers, which could not fire a gun—though as the haze cleared away we saw them repeatedly flashing the priming. After some time the line-of-battle ships came up with us, one keeping on our lee-beam, another to windward, each within half a mile, whilst the third was a little more distant.

Seeing it impossible to escape by superior sailing, it appeared practicable to try a manœuvre, which might be successful if the masts would stand. Having, as stated, secured these by every available rope in the frigate, the order was given to prepare to clew up and haul down every sail at the same instant. The manœuvre being executed with great precision,—and the helm being put hard a-weather, so as to wear the ship as speedily as possible,—the ‘Pallas,’ thus suddenly brought up, shook from stem to stern, in crossing the trough of the sea. As our pursuers were unprepared for this manœuvre, still less to counteract it, they shot past at full speed, and ran on several miles before they could shorten sail, or trim on the opposite tack. Indeed, under the heavy gale that was now blowing, even this was no easy matter, without endangering their own masts.

There was no time for consideration on our part, so having rapidly sheeted home, we spread all sail on the opposite tack. The hawsers being still fast to the masts, we went away from our pursuers at the rate of thirteen knots and upwards; so that a considerable distance was soon interposed between us and them; and this was greatly increased ere they were in a condition to follow. Before they had fairly renewed the chase night was rapidly setting in, and when quite dark, we lowered a ballasted cask overboard with a lantern, to induce them to believe that we had altered our course, though we held on in the same direction during the whole night. The trick was successful, for, as had been calculated, the next morning, to our great satisfaction, we saw nothing of them, and were all much relieved on finding our dollars and his Majesty’s ship once more in safety. The expedient was a desperate one, but so was the condition which induced us to resort to it.

Of the proceeds of the above-mentioned captures—all made within ten days—Sir William Young, on the strength of having recopied my orders from the Admiralty, *claimed and received* half my share of the captures. No wonder that Lord St. Vincent

said of him, that he wished to "*have the power of giving orders, and so share prize-money.*"

Being then young and ardent, my portion appeared inexhaustible. What could I want with more? The sum claimed and received by Admiral Young was not worth notice.

On our return to Plymouth the country was on the eve of a general election, and the time appeared a fitting one to carry out my long-cherished scheme of getting into Parliament. The nearest borough in which there was a chance was Honiton, and accordingly I applied to the port admiral for leave of absence to contest that "independent" constituency. The prize-money procured it without scruple.

My opponent was a Mr. Bradshaw, who had the advantage of a previous canvass. From the amount of prize-money which was known to have fallen to my share, that gentleman's popularity was for a moment in danger, it being anticipated that I should spend my money sailor fashion, so that it became unmistakably manifest that the seat in Parliament would be at my service, if my opponent were outbid! To use the words of "an independent elector" during my canvass: "You need not ask me, my lord, who I votes for, I always votes for Mister Most."

To the intense disgust of the majority of the electors, I refused to bribe at all, announcing my determination to "stand on patriotic principles," which, in the electioneering *parlance* of those days, meant "no bribery." To my astonishment, however, a considerable number of the respectable inhabitants voted in my favour, and my agent assured me that a judicious application of no very considerable sum, would beat my opponent out of the market. This, however, being resolutely refused, the majority voted in favour of his five pound notes, and saved my friends of the Admiralty Court and other naval departments from an exhibition of misplaced zeal, which, as subsequently proved, could only have ended in my parliamentary discomfiture.

To be beaten, even at an election, is one thing; to turn a beating to account is another. Having had decisive proof as to the nature of Honiton politics, I made up my mind that the next time there was a vacancy in the borough, the seat should be mine without bribery. Accordingly, immediately after my defeat, I sent the bellman round the town, having first primed him with an appropriate speech, intimating that "all who had voted for me might repair to my agent, J. Townsend, Esq., and receive ten pounds ten!"

The novelty of a defeated candidate paying double the current price expended by the successful one—or, indeed, paying anything—made a great sensation. Even my agent assured me that he could have secured my return for less money, for that the popular voice being in my favour, a trifling judicious expenditure would have turned the scale.

I told Mr. Townsend that such payment would have been bribery, which would not accord with my character as a reformer of abuses—a declaration which seemed highly to amuse him. Notwithstanding the explanation that the ten guineas was paid as a reward for having withstood the influence of bribery, the impression produced on the electoral mind by such unlooked-for liberality was simply this—that if I gave ten guineas for being beaten, my opponent had not paid half enough for being elected; a conclusion which, by a similar process of reasoning, was magnified into the conviction that each of his voters had been cheated out of five pounds ten.

The result was what had been foreseen. My opponent, though successful, was regarded with anything but a favourable eye; I, though defeated, had suddenly become most popular. The effect at the next election must be reserved for its place in a future chapter.

It was this election that first induced me to become a parliamentary Reformer, or, as any one holding popular opinions was called in those days, a “Radical,” *i. e.*, a member of a political class holding views not half so extreme as those which form the parliamentary capital of Reformers in the present day, and even less democratic than were the measures brought in during the last session of parliament by a Tory Government, whose predecessors consigned to gaol all who, fifty years ago, ventured to express opinions conferring political rights on the people.

It is strange that, after having suffered more for my political faith than any man now living, I should have survived to see former Radical yearnings become modern Tory doctrines. Stranger still, they should now form stepping-stones to place and power, instead of to the bar of a criminal court, where even the counsel defending those who were prosecuted for holding them became marked men.

Still it is something worth living for—even with the remembrance of my own bitter sufferings, for no greater offence than the advocacy of popular rights, and the abolition of naval abuses.

CHAPTER XI.

SERVICES IN THE 'PALLAS' CONTINUED.

Services in the 'Pallas.'—The 'Pallas' at Halifax.—Clamour of shipowners.—Sail from the Downs.—Capture a vessel.—The 'Pomone' sent to England.—Capture of the 'Tapageuse.'—The French run ashore.—Chase of the corvettes.—Off Chasseron.—Cold approval of Lord St. Vincent.—Cruise of the 'Pallas.'—Sight of the French squadron.—French signal-houses.—The Isle of Aix.—Engage the French squadron.—Joined by the 'Kingfisher.'—Details of the action.—Construction of kites.

ON the 28th of May, 1805, the 'Pallas' again sailed from Portsmouth in charge of a convoy for Quebec. On this voyage little occurred worthy of note, beyond the fact that when we made the American coast we were, from a cause presently to be mentioned, no less than thirteen degrees and a half out in our *dead reckoning*! The reader must not imagine that we were 800 miles out of our course, for that was corrected whenever observations of the sun or stars could be obtained; but as these might at any time be rendered uncertain from the fogs prevalent on the banks, the most vigilant care was necessary to prevent the ship and convoy from being wrecked.

In my former voyage in the 'Thetis' we had the advantage of a very clever man on board—a Mr. Garrard—who not being able to subsist on his salary as assistant astronomer and calculator at Greenwich, was glad to accept the birth of schoolmaster on board my uncle's frigate. From the instructions of this gentleman, I had formerly profited considerably, and was not a little pleased when he applied to me for a similar birth on board the 'Pallas.' With so skilful an observer, there could be no mistake about the error just mentioned; which arose from this circumstance, that for the sake of economy, the Navy Board or the dockyard authorities had surrounded the binnacle of the 'Pallas' with iron instead of copper bolts; so that the compass was not to be depended upon. Fortunately the atmosphere was tolerably clear, so that no danger was incurred.

As, however, I had no inclination to risk either the ship or my own reputation amongst the fogs of Canada for the sake of false economy, the course of the 'Pallas' and her convoy was directed to Halifax, there to free the compass from the attraction of iron. On demanding copper bolts from the dockyard officers, they were refused, on the ground that permission must

be first obtained from the authorities in London! To this I replied, that if such were the case, the 'Pallas' should wait with the convoy at Halifax whilst they communicated with the Admiralty in England! for that on no account should she enter the Gulf of St. Lawrence till our compass was right. The absurdity of detaining a convoy for six months on account of a hundredweight of copper bolts was too much even for dockyard routine, and the demand was with some difficulty conceded.

It would be wearisome to detail the uninteresting routine of attending the convoy to Quebec, or of my taking charge of another for the homeward voyage; further than to state, that from the defect of having no proper lights for the guidance of the convoy by night, the whole lost sight of us before reaching the Lizard; where we arrived with only one vessel, and that in tow.

The carelessness of merchant captains when following a convoy can only be estimated by those who have to deal with them. Not only was this manifested by day, but at night their stern cabins glittered with lights, equally intense with the convoy light, which therefore was not distinguishable. The separation of the convoy on the following day was thus rather a matter of course than of surprise.

This want of proper distinguishing lights, and the consequent dispersion of convoys, were thus frequent causes of the capture of our merchantmen, and to remedy this I constructed a lamp powerful enough to serve as a guide in following the protecting frigate by night. The Admiralty, however, neglected its application, or even to inspect my plan.

Some few years afterwards, the clamour of shipowners compelled the Board to direct its attention to the subject, and, passing over my communications, they offered a reward of fifty pounds to the inventor of the most suitable lamp for the purpose. On this I directed my agent, Mr. Brooks, to offer my lamp *in his own name*, feeling convinced that my connection with it would, if known, insure its rejection. He did so, and after repeated trials against others at Sheerness, Spithead, and St. Helen's, the fifty pound prize was adjudged to Mr. Brooks *for my lamp!!* The fact afterwards becoming known, *not a lamp was ever ordered*, and the merchantmen were left to the mercy of privateers as before. I do not relate this anecdote as telling against the *directing* powers of the Admiralty, but with the *administrative* powers, it was then and afterwards clearly a

fixed rule that no invention of mine should be carried into effect.

On our way home, we one day made an experiment which even now I believe might occasionally be turned to account; viz. the construction of gigantic kites to give additional impetus to ships. With this view a studdingsailboom was lashed across a spare flying jibboom to form the framework, and over this a large spread of canvas was sewn in the usual boys' fashion. My spars were, however, of unequal dimensions throughout, and this and our launching the kite caused it to roll greatly. Possibly, too, I might not have been sufficiently experienced in the mysteries of "wings and tail," for though the kite pulled with a will, it made such occasional lurches as gave reason to fear for the too sudden expenditure of his Majesty's stores. The power of such machines, properly constructed, would be very great; and in the case of a constant wind, might be useful. The experiment, however, showed that kites of smaller dimensions would have answered better.

On our return to England in December, the 'Pallas' was ordered to join the squadron of Admiral Thornborough, appointed to operate on the French and Spanish coasts. Instructions were, however, given to cruise for a few days off Boulogne before finally proceeding to Plymouth.

We sailed from the Downs on the 23rd of January, 1806, and on the 31st seeing a French merchant vessel at anchor near the mouth of the river Somme, the boats were sent inshore to cut her out. On nearing her, a battery opened fire on them, when we wore and engaged the battery, whilst the boats brought off the vessel, with which we anchored in Dover roads on the following morning.

On the 8th of February, the 'Pallas' sailed from Dover, and stood over towards the French coast, where we captured a fast-sailing lugger, having on board a number of letters addressed to various persons in London. Shortly after this we were ordered to join the admiral.

On the 22nd the 'Pallas' sailed with Vice-Admiral Thornborough's squadron from Plymouth, and remained in company till the 24th of March, when seeing some vessels off Isle Dieu, the boats went in chase, and returned with seven French fishing smacks; to the surprise of whose crews we bought their fish, and let them go.

From information communicated by the fishing-boats the

'Pallas' ran off shore, and in the night following, returned and captured a vessel freighted with wine, which was taken on board the frigate. The next night the boats again went in, and brought off another vessel similarly laden. On the following morning we made sail with our two prizes, but observing a brig at anchor off Sable d'Olonne, ran in again after dark, and sent the boats to cut her out. A fire being opened on the boats from the town, we discharged several broadsides, on which the townspeople desisted, and the brig was brought off. Whilst engaged in this operation, another brig was seen to run ashore for safety. On the morning of the 28th, the boats were again despatched to get her off, when, the people mustering along shore to attack them, we fired several shotted guns to warn them from interfering, and the brig was safely brought out.

This propensity of French crews thus to run their vessels ashore—on being chased by boats—was principally caused by a galley which had been constructed at my own expense by the Deal boatbuilders, and shipped on board the 'Pallas.' She rowed double-banked, and required eighteen hands at the oars, and this together with her beautiful build rendered her perhaps the fastest boat afloat. Escape from such a craft being hopeless, she became so notorious, that the enemy's coasters ran their vessels ashore, and jumping into their boats, thus saved themselves from being made prisoners.

On the 29th, we manned the largest prize, the 'Pomone,' and sent her to England in charge of the others. On the same day we fell in with the admiral, and supplied the squadron with prize wine, of which a large quantity had been taken, most of the vessels captured being laden with wine of fine quality, on its way to Havre for the Parisian market.

On quitting the squadron, we proceeded to the southward in chase of a convoy, one of which we captured, and on the 5th of April ran for the Garonne, having received intelligence that some French corvettes were lurking in the river and its vicinity, one of which vessels was reported to be lying some miles up the river as a guardship. Keeping out of sight for the remainder of the day, I determined on making an attempt to cut her out on the following night.

After dark the 'Pallas' came to an anchor off the Cordovan lighthouse, and the boats, manned with the whole crew of the frigate, except about forty men, pulled for the corvette, under the command of their gallant First Lieutenant Haswell, who

found her at 3 A.M. on the morning of the 6th, anchored near two batteries. As the weather was thick when the attack was made, the boats came upon the enemy unawares, and after a short but gallant resistance, the corvette was carried, proving to be the 'Tapageuse' of 14 guns.

No sooner was this effected, than two others, whose presence was unexpected, came to her rescue. Lieutenant Haswell, however, promptly manned the guns of the captured vessel, and beat off his assailants, the tide rendering it imprudent for the prize or the boats to follow in pursuit.

Whilst this was going on, the 'Pallas' remained at single anchor waiting for the boats, and soon after daylight three strange sail appeared to windward, making for the river. As the private signal was unanswered, there could be no doubt but that they were enemies, to oppose whom we had only forty hands on board, the remainder of the crew, as previously stated, being in the prize brig.

There was no time to be lost, and as it was of the first importance to make a show of strength, though we possessed none, I immediately set the few hands we had to fasten the furled sails with rope yarns; the object being to cut the yarns all at once, let fall the sails, and thus impress the enemy with an idea that from such celerity in making sail we had a numerous and highly disciplined crew.

The manœuvre succeeded to a marvel. No sooner was our cloud of canvas thus suddenly let fall than the approaching vessels hauled the wind, and ran off along shore, with the 'Pallas' in chase, our handful of men straining every nerve to sheet home, though it is surprising that the French officers did not observe the necessary slowness of the operation.

By superior sailing we were soon well up with one of them, and commenced firing our bow guns—the only guns, in fact, we were able to man. Scarcely had we fired half a dozen shots, when the French captain deliberately ran his ship ashore as the only way of saving himself and crew. The corvette was dismasted by the shock and immediately abandoned by the crew, who got ashore in their boats; though had they pulled on board the 'Pallas' instead, we were literally incapable of resistance.

After the crew had abandoned the wreck, we ran nearly close, and fired several broadsides into her hull, to prevent her floating again with the tide. Whilst thus engaged, the other

corvettes, which had previously run out of sight, again made their appearance to the S. S. W. under a press of sail, evidently coming up fast to the assistance of their consort.

As it was necessary once more to take the initiative, we quitted the wreck, ran up our colours, and gave chase, firing our bow guns at the nearest, which soon afterwards followed the example of the first, and ran ashore too,—with the same result of being dismasted—the crew escaping as in the case of the other.

Of the remaining corvette we for a time took no notice, and made sail towards the mouth of the Garonne to pick up our crew, which had necessarily been left on board the vessel captured on the river. As the ‘Pallas’ neared the Cordovan lighthouse, we observed the third corvette making for the river. Finding herself intercepted she also ran on shore, and was abandoned in like manner.

The chase of these corvettes forms one of my most singular recollections, all three being deliberately abandoned and wrecked in presence of a British frigate with only forty men on board! Had any one of the three known our real condition, or had we not put a bold face on the matter, we might have been taken. The mere semblance of strength saved us, and the panic thereby inspired destroyed the enemy.

Having joined our prize—the ‘Tapageuse’—the prisoners were shifted on board the ‘Pallas,’ which made sail in quest of the squadron, rejoining it on the 10th, when, by order of Admiral Thornborough, the prisoners were distributed among different ships.

The subjoined despatches will afford further explanation of the events just narrated.

“ ‘Pallas,’ off Chasseron, 8th April, 1806.

SIR,—Having received information—which proved correct—of the situation of the corvettes in the river of Bordeaux, a little after dark on the evening of the 5th, the ‘Pallas’ was anchored close to the shoal of Cordovan, and it gives me satisfaction to state that about 3 o’clock on the following morning the French national corvette, ‘La Tapageuse,’ of 14 long 12-pounders and 95 men, who had the guard, was boarded, carried, and cut out, about twenty miles above the shoal, and within two heavy batteries, in spite of all resistance, by the first lieutenant of the ‘Pallas,’ Mr. Haswell, the master, Mr. Sutherland, Messrs. Perkyins, Crawford, and Thompson, together with the quartermasters and such of the seamen and crew as were fortunate enough to find places in the boats.

“The tide of flood ran strong at daylight. ‘La Tapageuse’ made sail. A general alarm was given. A sloop-of-war followed, and an action

continued—often within hail—till by the same bravery by which the ‘*Tapageuse*’ was carried, the sloop-of-war, which before had been saved by the rapidity of the current alone, was compelled to sheer off, having suffered as much in the hull as the ‘*Tapageuse*’ in the rigging.

“The conduct of the officers and men will be justly appreciated. With confidence I shall now beg leave to recommend them to the notice of the Lords Commissioners of the Admiralty.

“It is necessary to add, that the same morning, when at anchor waiting for the boats (which, by-the-by, did not return till this morning), three ships were observed bearing down towards the ‘*Pallas*,’ making many signals, and were soon perceived to be enemies. In a few minutes the anchor of the ‘*Pallas*’ was weighed, and with the remainder of the officers and crew we chased, drove on shore, and wrecked one national 24-gun ship, one of 22 guns, and the ‘*Malicieuse*,’ a beautiful corvette of 18 guns. Their masts went by the board, and they were involved in a sheet of spray.

“All in this ship showed great zeal for his Majesty’s service. The warrant officers and Mr. Tattnell, midshipman, supplied the place of commissioned officers. The absence of Lieutenant Mapleton is much to be regretted. He would have gloried in the expedition with the boats. The assistance rendered by Mr. Drummond of the Royal Marines was such as might have been expected. Subjoined is the list of wounded, together with that of vessels captured and destroyed since the 26th ult.

“I am, &c. &c.

COCHRANE.

“To Vice-Admiral Thornborough.”

“‘*Prince of Wales*,’ off Rochefort, 9th April, 1806.

“MY LORD,—I have the honour to transmit to your lordship a copy of a letter I have this day received from Captain Lord Cochrane of H.M.S. ‘*Pallas*,’ under my orders. It will not be necessary for me, my lord, to comment on the intrepidity and good conduct displayed by Lord Cochrane, his officers and men, in the execution of a very hazardous enterprise in the Garonne, a river the most difficult, perhaps, in its navigation, of any on the coast. The complete success that attended the enterprise, as well as the destruction of the vessels of war mentioned in the said letter on the coast of Arcasson, speaks their merits more fully than is in my power to do. To which may be fairly added, that nothing can show more clearly the high state of discipline of the crew of the ‘*Pallas*’ than the humanity shown by them in the conflict.

“I have the honour, &c. &c.

“EDWARD THORNBOROUGH.

“The Right Hon. the Earl St. Vincent.”

“‘*Hibernia*,’ off Ushant, April 14th, 1806.

“SIR,—I yesterday received from Admiral Thornborough a letter with its enclosure from Captain Lord Cochrane, of which copies are herewith transmitted for the information of my Lord Commissioner of the Admiralty.

“The gallant and successful exertions of the ‘*Pallas*’ therein detailed, reflect very high honour on her captain, officers and crew, and call for my warmest approbation.

“I am, &c. &c. ST. VINCENT.

“W. Marsden, Esq.”

The cold, reluctant praise bestowed by this letter was no doubt intended by Lord St. Vincent as a wet blanket on the whole affair, and contrasts strongly with the warm-hearted sailor-like frankness of Admiral Thornborough. It had its full effect; not a word of approbation did I receive from the Admiralty. The 'Tapageuse' was not bought into the navy, though a similar vessel, subsequently captured by another officer at the same place, was purchased. My first lieutenant, Haswell, was not promoted. In short, if we had done something worthy of disapprobation, it could scarcely have been more marked. On this subject further comment will presently become necessary.

To return to our cruise. On the 14th of April we again quitted the squadron, and made for the corvettes run on shore on the 7th. The French had erected a battery for the protection of one of them which was still sound in the hull; but we silenced the battery and set fire to the corvette. After this the 'Pallas' proceeded towards the wreck of the northernmost vessel stranded, but as strong breezes came on, and she was evidently breaking up in the surf, we deemed it prudent to work off shore, and in so doing captured another vessel, which turned out to be a French packet.

On the 20th the 'Pallas' ran down abreast of the remaining corvette, and out boats for the purpose of burning her; but these being exposed to the fire of another battery, which had been thrown up to protect the wreck, and the 'Pallas' not being able, on account of the shoalness of the water, to get near enough to fire with effect, we desisted from the attempt, and again made sail.

On the 23rd we came to an anchor off the Malmaison passage, and on the following day reconnoitred the French squadron inside Isle Rhe. Whilst thus engaged, the British squadron appeared to windward, and shortly afterwards came to an anchor.

On the 24th we worked up to windward to join the admiral, and on the following day stood into Basque Roads to reconnoitre the enemy's squadron. On approaching within gunshot, a frigate and three brigs got under weigh, and we made sail to meet them, endeavouring to bring them to action by firing several broadsides at them. On this they tacked after returning the fire, and stood in under their batteries. Having completed our reconnoissance, we beat out again and rejoined the admiral, to whom I made the annexed report.

"H.M.S. 'Pallas,' off Isle d'Aix, April 25th, 1806.

"SIR,—Having stood within gunshot of the French squadron this morning, I find it to consist of the following vessels.

"One of three decks, 16 ports below; one of 80 guns, 15 ports; three of 74, 14 ports; two heavy frigates, of 40 guns; three light frigates, 13 ports on main-deck, and three brigs of from 14 to 16 guns.

"The 'Calcutta' * is not among them. Neither are there any corvettes, unless a very clumsy 20-gun ship can be called one. The ships of the line have all their topmasts struck and topgallant yards across. They are all very deep, more so than vessels are in general for common voyages.

"They may be easily burned, or they may be taken by sending here eight or ten thousand men, as if intended for the Mediterranean. If people at home would hold their tongues about it,† possession might thus be gained of the Isle d'Oleron, upon which all the enemy's vessels may be driven by sending fire vessels to the eastward of Isle d'Aix.

"A frigate and the three brigs were ordered to get under weigh. These stood towards the 'Pallas' and exchanged a few broadsides. After waiting from ten o'clock till past two, close to Isle d'Aix, we were obliged to come out no better than we went in. They could not be persuaded to stand from under their batteries.

"I have the honour, &c. &c.

"COCHRANE.

"Edw. Thornborough, Esq.,

"Vice-Admiral of the Blue."

Having found by experience that the French had organized a system of signal-houses, by means of which they were able to indicate the exact position of an enemy, so as to warn their coasters from impending danger, I resolved on destroying one of their principal stations on Isle Rhe, at the town of St. Martin. The result will be gathered from the subjoined despatch to Admiral Thornborough.

"'Pallas,' St. Martin's Road, Isle Rhe, May 10th, 1806.

"SIR,—The French trade having been kept in port of late, in a great measure by their knowledge of the exact position of his Majesty's cruisers, constantly announced at the signal-posts; it appeared to me to be some object, as there was nothing better to do, to endeavour to stop this practice.

"Accordingly, the two posts at Point Delaroche were demolished, next that of Caliola. Then two in L'Anse de Repos, one of which Lieutenant Haswell and Mr. Hillier, the gunner, took in a neat style from upwards of 100 militia. The marines and boats' crews behaved

* An Indiaman, recently captured by the French off St. Helena.

† It is a curious fact, that there being no such thing as confidence or secrecy in official quarters in England, the French were as well advised as to our movements as were our own commanders, and were consequently prepared at all points.

exceedingly well. All the flags have been brought off, and the houses built by government burnt to the ground.

"Yesterday, too, the zeal of Lieutenant Norton of the 'Frisk' cutter, and Lieutenant Gregory of the 'Contest' gun-brig, induced them to volunteer to flank the battery on Point d'Equillon, whilst we should attack in the rear by land; but it was carried at once, and one of fifty men who were stationed to three 36-pounders was made prisoner—the rest escaped. The battery is laid in ruins—guns spiked—carriages burnt—barrack and magazine blown up, and all the shells thrown into the sea. The convoy got into a river beyond our reach. Lieutenant Mapleton, Mr. Sutherland, master, and Mr. Hillier were with me, and as they do on all occasions so they did at this time whatever was in their power for his Majesty's service. The petty officers, seamen, and marines failed not to justify the opinion that there was before reason to form; yet it would be inexcusable were not the names of the quartermasters Barden and Casey particularly mentioned, as men highly deserving any favour that can be shown in the line to which they aspire.

"I have the honour, &c. &c.

"Edw. Thornborough, Esq.,
"Vice-Admiral of the Blue."

"COCHRANE.

Early in the morning on the 14th of May, the 'Pallas' again stood in close to the Isle of Aix, to renew her reconnoissance of the French squadron under Admiral Allemand, then anchored at the entrance of the Antioche passage, and also in the hope of once more getting within range of the vessels which we had failed to bring to an action on the 25th ultimo. In order to prevent their again taking shelter under the batteries on Isle d'Aix, we cleared for action and ran within range of the latter; the frigate shortly afterwards getting under weigh to meet us.

Scarcely had she done so, than the three brigs also got under weigh to support her, making a formidable addition to the force to be encountered, the frigate alone showing a broadside superior to ours. We however remained under our topsails by the wind to await them, and when the brigs came within point-blank shot, a broadside from the 'Pallas' dismantled one of them. We then veered and engaged the frigate and the other brig—the batteries on Isle d'Aix meanwhile firing at us.

After an hour's fighting, we observed that considerable damage had been done by the fire of the 'Pallas' to the frigate and another of the brigs, the maintopsail-yard of the latter being cut through, and the aftersails of the frigate shot away, though the action was not continuous, owing to the frequent necessity on our part of tacking to avoid shoals.

About one o'clock we managed to gain the wind of the frigate, and running between her and the batteries, gave her two or

three smart broadsides, on which her fire slackened, and she showed signs of meditating a retreat. Perceiving this, I directed Mr. Sutherland, the master, to lay us aboard, which at 1.40 P.M. was gallantly but rather too eagerly effected.

Just at this moment, unobserved [by us, the French frigate grounded on a shoal, so that on coming in contact, the spars and rigging of both vessels were dismantled. The concussion drove our guns back into the ports, in which position the broadside was again discharged, and the shot tore through her sides with crushing effect, her men taking refuge below, so that the only return to this broadside was three pistol-shots fired at random. The French captain was the only man who gallantly remained on deck.

To clear away our own wreck was one object; to board the frigate the next; but two more frigates were observed to quit the enemy's squadron, and crowd all sail to her assistance. This, in our crippled condition, was too much; there was, therefore, nothing for it but to quit the grounded ship and save ourselves. Accordingly we bore up, and made what sail was possible, cutting away and repairing the wreck as we best could, the two frigates following in chase.

Fortunately the sloop 'Kingfisher,' commanded by the gallant Captain, now Admiral, Seymour, seeing our disabled condition, promptly ran down and took us in tow;* on which the enemy

* Since the publication of the first edition, Admiral Seymour has kindly supplied me with the following interesting particulars, which had escaped my recollection:—

"I remember that on the 14th, the morning in question, the 'Kingfisher' being off the Chasseron lighthouse, within which I had directions from Admiral Thornborough not to go, in consequence of his having thought I had risked the 'Kingfisher' two days before by too near an approach to the French squadron—that the 'Pallas' passed in towards Basque Roads (as I supposed, to reconnoitre the enemy), and when I saw you exchanging shots with the enemy's guard frigate, I had no idea you would have attempted to carry her when so near the squadron.

"The moment, however, I saw that you had run on board the 'Minerve,' and that, on separating, you had lost your foretopmast and topsail yards, I immediately stood in to assist you, and as we had a leading wind, and the distance from the Pertuis d'Antioche not being, I think, above six miles, I have a clear recollection that, within the hour, we gave you the end of a hawser.

"Perhaps I may be able to recall to your recollection that when we took you in tow, the wind had drawn more westerly, and that we could not weather Isle Rhe on the port tack, so were obliged to go about and stand towards the two fresh French frigates and brigs which were standing towards us. On our approach they backed their maintopsails, when they might have brought the

desisted from the pursuit, turning their attention to their disabled consort. The subjoined report to Admiral Thornborough details a few other particulars of the action, though at that time we neither knew the names nor the strength of our opponents.

“His Majesty’s Ship ‘Pallas,’ 14th May,

“Off the Island of Oleron, May 15th, 1806.

“SIR,—This morning when close to Isle d’Aix, reconnoitring the French squadron, it gave me great joy to find our late opponent, the black frigate, and her companions the three brigs, getting under sail; we formed high expectations that the long wished-for opportunity was at last arrived.

“The ‘Pallas’ remained under topsails by the wind to await them; at half-past eleven a smart point-blank firing commenced on both sides, which was severely felt by the enemy. The maintopsail-yard of one of the brigs was cut through, and the frigate lost her aftersails. The batteries on l’Isle d’Aix opened on the ‘Pallas,’ and a cannonade continued, interrupted on our part only by the necessity we were under to make various tacks to avoid the shoals, till one o’clock, when our endeavour to gain the wind of the enemy and get between him and the batteries proved successful; an effectual distance was now chosen, a few broadsides were poured in, the enemy’s fire slackened. I ordered ours to cease, and directed Mr. Sutherland, the master, to run the frigate on board, with intention effectually to prevent her retreat.

“The enemy’s side thrust our guns back into the ports, the whole were then discharged, the effect and crash were dreadful; their decks were deserted; three pistol-shots were the unequal return.

“With confidence I say that the frigate was lost to France had not the unequal collision tore away our foretopmast, jibboom, fore and maintopsail-yards, spritsail-yards, bumpkin, cathead, chain plates, forerigging, foresail, and bower anchor, with which last I intended to hook on, but all proved insufficient. She was yet lost to France had not the French admiral, seeing his frigate’s foreyard gone, her rigging ruined, and the danger she was in, sent two others to her assistance.

“The ‘Pallas’ being a wreck, we came out with what sail could be set, and his Majesty’s sloop the ‘Kingfisher’ afterwards took us in tow.

“The officers and ship’s company behaved as usual; to the names of Lieutenants Haswell and Mapleton, whom I have mentioned on other occasions, I have to add that of Lieutenant Robins, who had just joined.

“I have the honour to be, &c. &c.

“COCHRANE.”

‘Pallas’ and ‘Kingfisher’ to action. You then desired me to go round, and we fetched out on the port tack, the French offering no molestation, although their squadron was apparently ready for sea.

“In going into this old story, I may add that I have already seen that there can be no disposition to undervalue the assistance I afforded you in 1806, when you so handsomely acknowledge that which I desired to afford you on another occasion in 1809.¹

“Yours very faithfully, G. SEYMOUR.”

¹ In Aix Roads. See p. 245.

"*Killed*.—David Thompson, marine.

"*Wounded*.—Mr. Andrews, midshipman, very badly; John Coger, and three other seamen, slightly.

"Edw. Thornborough, Esq., Vice-Admiral of the Blue."

On the 17th, being still ignorant of the name of the frigate we had engaged, we landed some French prisoners under a flag of truce, and thus learned that she was the 40-gun frigate '*La Minerve*.' The brigs were ascertained to be the '*Lynx*,' '*Sylphe*,' and '*Palinure*,' each carrying 16 guns.

On the 18th, the '*Pallas*' was ordered to Plymouth in charge of a convoy of transports, and arrived on the 27th without any other occurrence worthy of notice.

A device practised by us when, at various times, running close in to the French shore, must not be omitted. A number of printed proclamations, addressed to the French people, had been put on board, with instructions to embrace every opportunity of getting them distributed. The opportunities for this were, of course, few, being chiefly confined to the crews of boats or small fishing craft, who would scarcely have ventured on their distribution, had the proclamation been entrusted to them.

The device resorted to was the construction of small kites, to which a number of proclamations were attached. To the string which held the kite, a match was appended in such a way, that when the kite was flown over the land, the retaining string became burned through, and dispersed the proclamations, which, to the great annoyance of the French government, thus became widely distributed over the country.

CHAPTER XII.

MY ENTRANCE INTO PARLIAMENT.

My entrance into Parliament.—Enthusiastic reception.—Seek promotion for Haswell.—Cutting out '*Le Cæsar*.'—Gross instance of partiality.—Claret against small beer.—Story of Mr. Croker.—Mr. Croker's revenge.—Command the '*Impérieuse*.'—Drift towards Ushant.—Join the squadron in the Basque Roads.—Anchor off Cordovan.—Supply the '*Atalante*.'

ON the termination of the cruise, the '*Pallas*' was thoroughly refitted, the interval thus occupied affording me time for relaxation, but nothing occurred worthy of record till, in the July following, the electors of Honiton chose me as their representative in Parliament.

The story of this election is worth relating. My former discomfiture at Honiton, and the ten guineas a head paid to those who had voted for me on the previous occasion, will be fresh in the recollection of the reader. A general election being at hand, no time was lost in proceeding to Honiton, where considerable sensation was created by my entrance into the town in a *vis-à-vis* and six, followed by several carriages and four filled with officers and seamen of the 'Pallas,' who volunteered to accompany me on the occasion.

Our reception by the townspeople was enthusiastic, the more so, perhaps, from the general belief that my capture of the Spanish galleons—as they were termed—had endowed me with untold wealth; whilst an equally fabulous amount was believed to have resulted from our recent cruise, during which my supporters would have been not a little surprised to learn that neither myself, officers, nor crew, had gained anything but a quantity of wine, which nobody would buy; whilst for the destruction of three French corvettes we never received a shilling!

Aware of my previous objection to bribery, not a word was asked by my partisans as to the price expected in exchange for their suffrages. It was enough that my former friends had received ten guineas each after my defeat, and it was judged best to leave the cost of success to my discretion.

My return was triumphant, and this effected, it was then plainly asked, what *ex post facto* consideration was to be expected by those who had supported me in so delicate a manner.

"Not one farthing!" was the reply.

"But, my lord, you gave ten guineas a head to the minority at the last election, and the majority have been calculating on something handsome on the present occasion."

"No doubt. The former gift was for their disinterested conduct in not taking the bribe of five pounds from the agents of my opponent. For me now to pay them would be a violation of my own previously expressed principles."

Finding nothing could be got from me in the way of money payment for their support, it was put to my generosity whether I would not, at least, give my constituents a public supper.

"By all means," was my reply; "and it will give me great satisfaction to know that so rational a display of patriotism has superseded a system of bribery, which reflects even less credit on the donor than the recipients."

Alas! for the vanity of good intentions. The permission thus given was converted into a public treat; not only for my partisans, but for my opponents, their wives, children, and friends; in short, for the whole town! The result showed itself in a bill *for some twelve hundred pounds!* which I refused to pay, but was eventually compelled to liquidate, in a way which will form a very curious episode hereafter.

One of my first steps, subsequent to the election, was to apply to the Admiralty for the promotion of my first lieutenant, Haswell, who had so gallantly cut out the 'Tapageuse' from the Bordeaux river; and also for that of poor Parker, whose case has been notified in connection with the 'Speedy,' though it was not till after my becoming a member of the House of Commons that he was promoted after the fashion previously narrated.

It is unnecessary to recapitulate the services of these gallant officers, further than to state briefly, that on the 6th of April, 1806, Lieutenant Haswell, with the boats of the 'Pallas' alone, acting under my orders, cut out the French guardship, 'La Tapageuse,' from the river Garonne, and brought off his prize, in the face of heavy batteries, and despite the endeavours of two vessels of war—each of equal force to the captured corvette. For this service Lieutenant Haswell remained unpromoted.

On the 15th of July, in the same year, the boats of Sir Samuel Hood's squadron, under the orders of Lieutenant Sibley, performed the somewhat similar, though certainly not superior exploit, of cutting out 'Le Cæsar,' of 16 guns and 86 men, from the same anchorage. Within three weeks after the performance of this service, Lieutenant Sibley was *promoted to the rank of commander*, and so palpable an instance of favouritism determined me to urge afresh the neglected claims of both Parker and Haswell.

My renewed application being met with evasion in the case of both officers, I plainly intimated to the Admiralty authorities that it would be my duty to bring before the House of Commons a partiality so detrimental to the interests of the navy. The threat produced what justice refused to concede, and these deserving officers were both made commanders on the 15th of August, 1806; Parker, for a service performed upwards of five years before, and Haswell for one four months previously. Notwithstanding this lapse of time, Haswell's promotion was dated *eleven days after* that of Lieutenant Sibley! though the

former officer had effected with the boats of a small frigate, and against *three* ships of war, as much as Lieutenant Sibley had accomplished against *only one*, though with the boats of a whole squadron! viz. the boats of the 'Centaur,' 'Conqueror,' 'Revenge,' 'Achilles,' 'Prince of Wales,' 'Polyphemus,' 'Monarch,' 'Iris,' and 'Indefatigable.' Lieut. Sibley's exploit with this overwhelming force had a medal awarded, and appears in the Navy List to this day; Lieut. Haswell's capture of the 'Tapageuse' under my directions was unnoticed in any way.

The fact is, that neither of my highly meritorious officers would have been promoted, but that, after Lieutenant Sibley's promotion for a less distinguished service, it was impossible to evade their claims if brought under the notice of the legislature; and it was only by this threatened exposure of such palpable injustice that the promotion of either officer was obtained.

Another gross instance of partiality in the course pursued by the Admiralty towards my officers and crews, consisted in the refusal to purchase the 'Tapageuse' into the navy; though the 'Cæsar'—prize to Sir Samuel Hood's squadron—was so purchased. For the four vessels of war, viz. the 'Tapageuse,' 14 guns; the 'Malicieuse,' 18 guns; the 'Garonne,' 22; and the 'Gloire,' 24,—total, 78 guns, driven on shore by the 'Pallas,' in one day, no remuneration was awarded: the pretence for withholding it being, that as there were no proceeds there could be no reward; whilst, as the enemy's crews escaped, head money was denied, though the Act of Parliament conferring it was expressly framed to meet such cases, the nonpayment practically deciding, that it was not worth a commander's while to expose himself and ship in destroying enemy's vessels! Supposing it to have been necessary to adhere stringently to the Admiralty regulation, the rule itself rendered it the more incumbent on the Board to give remuneration for the 'Tapageuse,' by purchasing that vessel into the service, as was done to Lieutenant Sibley and his men in the case of the 'Cæsar.' Such remuneration was, however, wholly withheld.*

* If a vessel were captured and destroyed, head money was awarded, as in the case of the 'Calcutta,' which surrendered to the 'Impérieuse' in the subsequent affair of Basque Roads. It was sworn to by others that she surrendered to the squadron; but that this was not the case is proved by the French government having shot her captain for surrendering *to me alone*; a sentence which was not likely to have been passed had he surrendered to eight or ten ships. In this case head money was awarded to Lord Gambier's fleet, on which account I declined to touch a shilling of it.

Another curious circumstance connected with the 'Pallas' may be here mentioned. As the reader is aware, that ship—on her last cruise—had taken a number of *chasse-marées*, some of which were laden with the finest vintages of the south of France. Independently of the wine gratuitously supplied by the 'Pallas' to the squadron of Admiral Thornborough, a large quantity of the finest had been reserved to be sold for the benefit of the captors; so much, in fact, that in an easily glutted market, like that of Plymouth, it was not saleable for anything beyond the duty.

An offer was made to the Victualling Board to accept, for our claret, the price of the villanous small beer then served out to ships' companies, so that Jack might have a treat without additional expense to the nation. The offer was unwisely refused, despite the benefit to the health of the men.

As customs officers were placed on board the prize-vessels containing the wine, considerable expense was incurred. We therefore found it imperative that something should be done with it, and as the Victualling Board refused to take it, there was no alternative but to knock out the bungs of the casks, and empty the wine overboard.

My agent had, however, orders to pay duty on two pipes, and to forward them, on my account, to my uncle the Honourable Basil Cochrane, who had kindly offered to stow them in his cellars in Portman Square. Knowing the quality of the wine, the agent took upon himself to forward seven pipes instead of two, and on these duty was paid. As it was impossible to consume such a quantity, the whole was bottled, in order to await opportunity for its disposal.

On this wine hangs a curious story. My residence in town was in Old Palace Yard, and one of my constant visitors was the late Mr. Croker, of the Admiralty, then on the look-out for political employment. This gentleman had an invitation to my table as often as he might think proper, and of this—from a similarity of taste and habit, as I was willing to believe—he so far availed himself as to become my daily guest; receiving a cordial reception, from friendship towards a person of ardent mind, who had to struggle as I had done to gain a position.

Croker was one day dining with me, when some of the 'Pallas' wine was placed on the table. Expressing his admiration of my "superb claret," for such it really was, notwithstanding that the Victualling Board had rejected wine of a

similar quality for the use of seamen, though offered at the price of small beer, he asked me to let him have some of it. The reply was, that he should have as much as he pleased, at the cost of duty and bottling, taking the wine as I had done from the French, for nothing: jocosely remarking, that the claret would be all the better for coming from a friend instead of an enemy, he stated his intention to avail himself of my offer.

Shortly after this incident, Croker, who had previously been in Parliament, was appointed Secretary to the Admiralty, and from that day forward he never presented himself at my apartments; nor did I, by any chance, meet him till some time afterwards we encountered each other, by accident, near Whitehall.

Recognising me in a way meant to convey the idea, that as he was now my master, our relations were slightly altered, I asked him why he had not sent for his wine? His reply was, "Why, really I have no use for it, my friends having supplied me more liberally than I have occasion for!" Well knowing the meaning of this, I made him a reply expressive of my appreciation of his conduct towards me personally, as well as of the wine sources from which he had been so liberally supplied. This, of course, was conclusive as to any future acquaintance, and we parted without one additional word.

This incident converted into a foe one who had been regarded by me in the spirit of sincere and disinterested friendship. He was, moreover, in a position to make his enmity felt, and when I was hunted down by that infamous trial which blasted at a blow my hopes and reputation, the weight of official vengeance was all the more keenly felt, as being the return of former hospitality.

In my previous attempts to call the attention of the House to naval abuses, Croker was my constant opponent; and as, in our days of friendship, I had unreservedly unbosomed to him my views and plans of action, he was in a condition to fight me with my own weapons, which thus became employed in continuance of the corrupt system at which they were aimed. If, at that period, there were any naval abuses requiring reformation, Mr. Croker was certainly the greatest stumbling-block to their removal, for no better reason than that plans for their remedy emanated from me, though in the days of our friendship, he had not only approved those plans, but even suggested others.

On the 23rd of August, 1806, I was appointed to the command of the 'Impérieuse' frigate, which was commissioned on the 2nd of September following, the crew of the 'Pallas' being turned over to her.

We left Plymouth on the 17th of November, but in a very unfit condition for sea.

The alacrity of the port authorities to obtain praise for despatching vessels to sea before they were in fit condition was reprehensible. It was a point in those days for port admirals to hurry off ships, regardless of consequences, immediately after orders for their sailing were received; this "*despatch*," as it was incorrectly termed, securing the commendation of the Admiralty, whom no officer dared to inform of the danger to which both ships and crews were thereby exposed.

The case of the 'Impérieuse' was very near proving the fallacy of the system. She was ordered to put to sea, the moment the rudder—which was being hung—would steer the ship. The order was of necessity obeyed. We were therefore compelled to leave port with a lighter full of provisions on one side, a second with ordnance stores on the other, and a third filled with gunpowder towing astern. We had not even opportunity to secure the guns; the quarter-deck carronades were not shipped on their slides; and all was in the utmost confusion.

The result of this precipitation was—for it had no object—that as soon as the land was out of sight, we were obliged to heave-to, in mid-channel, to unstow the after hold, get down the ballast, and clear the decks. Worse still—the rigging had not been effectually set up, so that had a gale of wind come on, the safety of the frigate might have been compromised; or had we been attacked by an enemy—even a gun-boat—we could not have fired a shot in return, as, from the powder coming on board last, we had not a cartridge filled.

The weather becoming thick on the following day, no observation could be taken. The consequence was, that from the current and unknown drift of the frigate whilst hove-to, to set up the new rigging, secure the masts, and stow the hold, we drifted toward Ushant, and in the night struck heavily three or four times on a shelf, but fortunately forged over into a deep pool, in which, as it was blowing hard, we had to let go three anchors to hold the ship till the following morning.

As soon as it became daylight, it was found that the 'Impé-

rieuse was inside of Ushant, instead of outside, to the manifest peril of the frigate. As it was, we sounded our way out with difficulty, and happily without material injury.

I afterwards demanded a court-martial on my conduct in this affair, but it was not granted; because it was known that the blame would have fallen on others, not on me. This unwise and arbitrary conduct, in hastily and prematurely forcing vessels to sea, was mistaken by the public as a manifestation of official zeal in carrying on the service!

It would be easy to mention numerous instances of the like nature, but this being my own case, I can vouch for its authenticity.

In a future chapter it will be necessary again to advert to these and other evils to which men and ships were not only exposed, but actually sacrificed, by hurry or neglect of equipment.

On the 29th we joined the blockading squadron in Basque Roads, and were ordered by the admiral to cruise off shore in the vicinity, but without effect, till the 19th of December, when we captured two vessels off Sable d'Olonne, and on the 31st a third at the entrance of the Garonne.

On the 4th of January we gave chase to several vessels which ran in the direction of Arcassan. On the following day the boats were sent in chase of a galliot and another vessel in shore, but the cutter being swamped in the surf, both escaped into the creek or basin, and ran ashore. We then anchored about three miles from the entrance.

On the 6th we again hoisted out boats and sent them with the stream anchors to warp off the vessels, in which operation they were successfully obstructed by a battery on an island at the entrance of the creek. As the water was too shoal for the frigate to approach with safety, the boats were manned, and before daylight on the 7th we carried the battery by assault, spiking or otherwise destroying the guns, which consisted of four 36-pounders, two field-pieces, and a 13-inch mortar; this done, we collected their carriages, and what wood we could find, with which we set fire to the fort. Several gun-boats being at anchor in the rear of the island, we burned them, as well as the vessels previously chased, not thinking it prudent to remain and get them off, as a general alarm had been excited along the coast.

Having destroyed this battery, we again sailed for the

Garonne, and on the 9th anchored off Cordovan, in the hope of intercepting any vessels entering or quitting the river; but notwithstanding we remained here till the 19th, none showed themselves, nor was any attempt made by the enemy to dislodge us from our position. Our anchorage was, however, exposed, and heavy gales coming on, we were compelled to make sail on the 19th.

Shortly after this the 'Impérieuse' was ordered home, arriving at Plymouth on the 11th of February, without further incident. Indeed the cruise would not be worthy of record, except to preserve the order of time in this narrative of my services unbroken. †

On the 26th we chased some vessels off Isle Dieu, but they ran under the protection of a battery with which we exchanged some shots, and then made sail in the direction of Sable d'Olonne. On the 29th joined the squadron, and were ordered to supply the 'Atalante' with provisions and water. A further notice respecting this operation will be found in the parliamentary debate in the next chapter.

CHAPTER XIII.

DISSOLUTION OF PARLIAMENT.

Dissolution of Parliament.—Westminster election.—Reply to Mr. Sheridan.—I am elected.—Virulent recriminations.—Opening of the House.—Move for an account of sinecures.—Opposition to the motion.—Mr. Perceval's proposition.—My motion evaded.—Naval abuses.—Details of abuses.—Naval hospitals.—Speech in the Commons.—Join Lord Collingwood's fleet.

ON the 27th of April, 1807, the short but busy Parliament was dissolved, "his Majesty being anxious to recur to the sense of his people." In other words, it was dissolved for political reasons not within the scope of the present work to enter.

In the following month of May writs were issued for a general election, and as my Honiton constituents, even during the short period I had been ashore, had heartily sickened me of further connection with them, by the incessant cry for places with which they had assailed me, I made up my mind to become a candidate for Westminster, with the object of adding the weight of an important constituency to my own representations on naval or other abuses whenever opportunity might occur. Or, as I told the electors of Westminster, at a meeting convened at the St.

Alban's Tavern, my motive for soliciting their suffrages was, that "a man representing a rotten borough could not feel himself of equal consequence in the House with one representing such a city as Westminster—that disclaiming all attachment to parties or factions, it was not only my wish to be independent, but to be placed in a position where I could become so with effect, and that as this was impossible with no more efficient backers than my late constituents, my connection with them had ceased, and I had taken the liberty of soliciting the suffrages of the electors for Westminster."

The candidates for Westminster were, the Right Hon. Brinsley Sheridan, Mr. Elliot, Mr. Paul, and myself. It was not till the poll had commenced, that Sir Francis Burdett—at that time confined to his bed by a dangerous wound received in a duel with Mr. Paul—was put in nomination, without his knowledge, the nature of his wound not permitting any person to communicate with him, except his medical attendant.

I was regarded as the opponent of Mr. Sheridan, and for want of better argument that gentleman's partisans in the press sought to depreciate me in the estimation of the electors by representations of the most unjust character, a far more reprehensible act than that of pointing out to them the advantage of retaining an eminent and tried man in preference to one of whose political tendencies they could practically know nothing.

In electioneering all devices are considered fair, so in place of resenting or retaliating, they were met by my declaration, that—

"Whatever gentlemen might say of their long political services—to the electors belonged the privilege of judging for themselves, and that in looking for security for the performance of pledges, they should also consider the character of those who gave them. I was not a mere professed reformer, but the zealous friend of reform, earnestly desiring to see it thoroughly carried out as regarded many abuses which had crept into our constitution. Much had been said of profligacy and profusion of public money. But what was to be said of a commander-in-chief of the navy, who would give away those commissions which formed the stimulus, and should be the reward of honourable merit, in exchange for borough interests? If I had the honour of being returned for Westminster, I should feel confident in rising to arraign such abuses. But in representing a rotten borough, I was under restriction."

This explanation was favourably received, and the result was, that on the 10th of May I was at the head of the poll, whilst my detractors were at the bottom; Sir Francis Burdett being third,

and Mr. Sheridan fourth,—a circumstance which called forth from the latter gentleman one of those diatribes for which he had become famous.

To this I replied as follows:—

“I perfectly approved of the sentiments professed by the right honourable gentleman, that ‘with respect to his own principles, he would prefer the approbation of his country before the favour of any administration, or other set of men.’ It had, however, been said, that naval officers were unfit for representatives of the people in Parliament. But how were abuses in the navy to be pointed out or redressed by Parliament, without the presence of men competent to point them out, give accurate information, and suggest remedies?

“For six years past, such abuses had prevailed as were paralysing the navy. It was not the place to enter into details, but a few of the more prominent points might be mentioned. Under what was called the system of economy, adopted in the fleet, ships were kept at sea month after month, and in such a crazy state of repair, as scarcely to be in a condition to float. The system was, that when such vessels came into harbour for repair, the Admiralty artificers were sent on board to examine them. These men were afraid to tell the truth, if they considered it unpalatable to their employers, lest they should lose their places. They therefore reported, that such ships would do awhile longer, with some slight repairs.

“The vessels received those repairs without coming into dock, and were sent to sea, where they were wrecked or foundered! This was the case with the ‘*Atalante*,’ ship of war, which was four months off Rochefort last winter. I was ordered to victual that ship for a long voyage, and remonstrated—declaring my opinion that she was unfit to go to sea, and that, if she were sent, the first intelligence from her would be, that she had foundered. The result was exactly as I had foretold. In spite of remonstrance, she was sent to sea, and ship, crew, and all went to the bottom (loud laughter). It was no laughing matter. Like the fable of the frogs, it might be fun to some, though anything but fun for brave men, whose lives were so valuable to their families and their country. A similar fate attended the ‘*Felix*’ schooner, which was compelled to proceed to sea in a like condition, and went down with officers and crew, of whom one man only was saved.

“Another point might be mentioned. What could be said of a man at the head of the navy, who would lavishly grant away, in exchange for rotten borough interests, naval commissions which ought to be the reward of those brave officers who had for years devoted their lives at every hazard in the service of their country? Yet it was notorious such things were done.

“It had been asserted, that naval and military officers were ineligible to seats in Parliament, because they might at any time be called away by their professional duty. But such men might—and often did—effect more for their country in a few days—sometimes in a few hours—than half those gentlemen who continued for seven years, sitting on their cushions in the House of Commons, without speaking a word for the public good,—nay, very often voting against it (laughter and applause).

“With regard to reform, it would be my wish to bring back the constitution to its ancient purity—to exclude altogether from Parliament those placemen and pensioners who, by ancient laws, were excluded from it, but whom modern practice had deemed it expedient to place in the legislature. What had the Committee of Reform done—of whose labours and intentions so much had been said? When the dissolution came, they were found sitting where they began their task, without having effected anything whatever.”

At the final close of the poll, Sir Francis Burdett and myself, being at the head, were declared elected, and I had the honour of representing a body of constituents whose subsequent support, under the most trying events of my life, forms one of my most gratifying recollections. I must also record it, to the honour of my Westminster friends, that during my long connection with them, no elector ever asked me to procure for himself or relatives a place under Government, whilst the multitude of applications for place from my late constituents formed, as has been said, a source of intolerable annoyance.

This election was remarkable as being the first in which public opinion firmly opposed itself to party faction. It had become unmistakeably manifest that the two great factions into which politicians were divided had no other object than to share in the general plunder, and, as a first step to this, to embarrass the Government of the “*ins*” by the factious opposition of the “*outs*.” Indeed, so obvious had this become, that the appellations of Whig and Tory were laid aside by common consent, and the more descriptive names of “*outs*” and “*ins*” substituted in their stead. My election had no doubt been secured by the emphatic declaration, that I would belong to neither party, supporting or opposing either as in my judgment might seem conducive to the national good.

The animosity of these respective parties against each other was favourable to such a course. Each accused the other of grasping at offices for the sake of personal or dependent advantage, and averred that the aim of their opponents was neither the administration of government—which, as has been seen, was left to administer itself in its own way—nor the good of the country, but the possession and distribution of the public money. So virulent did these mutual recriminations become, that it cannot be wondered at if people took the disputants at their word; the more so as the moment either party was in power they threw aside the principles which had gained momentary ascendancy, and devoted their sole attention to their

former practices, knowing that, as their possession of office might be short, a tenure so uncertain must be made the most of. Statesmanship amongst such people was out of the question. Neither party could even foresee that the very disgust which their scramble for office was exciting in the public mind must one day overthrow both factions.

It was at this very Westminster election that the patriotism of the electors made itself felt throughout the length and breadth of the land, and laid the foundation of that reform which has been obtained by the present generation. To the error which had been committed both factions became speedily alive, and each in turn persecuted the expression of public opinion whenever opportunity offered. The press, as far as possible, was gagged; public writers and speakers heavily fined, and sentenced to lengthened imprisonment; and, where the rank or position of the offender rendered this impracticable, both parties joined in the most uncompromising hostility to him, as afterwards I had but too much reason to know to my cost.

On the 24th of June, the electors of Westminster insisted on carrying Sir Francis Burdett from his house in Piccadilly to a magnificent entertainment at the Crown and Anchor Tavern in the Strand. A triumphal car was provided, which on its passage through immense crowds of spectators was enthusiastically greeted, the illustrious occupant reclining with his wounded leg on a cushion, whilst the other was placed on a figure inscribed with the words "VENALITY AND CORRUPTION," which were thus emblematically trampled under foot.

On the 26th the House was formally opened by the delivery of his Majesty's speech, through the instrumentality of commissioners, viz. Lord Chancellor Eldon, and the Earls of Aylesford and Dartmouth. In the course of the debate on the address, during which much party recrimination took place, I excited great animosity by expressing a hope that, "as each party charged the other with making jobs in order to influence the elections, the conduct of both might in this respect be inquired into, and that hence, some third party would arise, which would stand aloof from selfish interests and sinecure places, for that, as parties were at present constituted, I would not support either unless they were prepared to act on other principles than those by which their present course appeared to be guided."

On the 7th of July, pursuant to notice, I brought forward a motion to the following effect:—

"That a committee be appointed to inquire into, and report upon, to this House, an account of all offices, posts, places, sinecures, pensions, situations, fees, perquisites, and emoluments of every description, paid out of or arising from the public revenues, or fees of any courts of law, equity, admiralty, ecclesiastical, or other courts, held or enjoyed by, or in trust for, any member of this House, his wife, or any of his descendants for him, or either of them, in reversion of any present interests; with an account of the annual amount of such, distinguishing whether the same arises from a certain salary or from an average amount; that this inquiry extend to the whole of his Majesty's dominions, and that the said committee be empowered to send for persons, papers, and records."

My argument was, "that if this motion were granted, the result would prove whether there was any possibility of making those *who had lived on, and enriched themselves by the public money*, feel for the extraordinary burthens under which the people laboured. The late plan of finance proved that as much as could be exacted had been drawn from the people, and that it was not possible to extract more—ingenuity having exhausted itself in devising new sources of taxation; so that it was necessary to satisfy the greed of dependents on the public purse by the expedient of profligate advertisements, offering for sale the public patronage, and even seats in a certain assembly. It was proper to show the public that there was nothing in the character or habits of those composing that House which they desired to conceal."

There was nothing factious in this, but the fear of the Government was, that were such a motion agreed to, the country would perceive that the vast accumulation of the national debt did not arise so much from warlike expenditure, defensive or aggressive, as from political profligacy. The motion was, therefore, opposed by one of the leading members of the House, on the ground that it was invidious and improper *to convey to the public an insinuation that members of Parliament were influenced by considerations of private advantage for themselves or their dependents, and that it was most essential, at this critical period, the character of the House of Commons should not be degraded or depreciated.*

In this view both factions joined *con amore*, for the question as to which it was aimed at was only that of being *in or out of office*. That there was any chance of such a motion being passed was not expected by any one, and least of all by myself; but the predicament in which it had placed the House was that of either assenting to the correctness of its principle, or of asserting boldly that there were no grounds for the inquiry. The latter course was too high to be taken with safety.

Mr. Whitbread, a most excellent man, and a great peacemaker when practicable, came to the rescue, by stating that though he concurred in principle with my motion, yet it might be sufficient to refer it to a committee of finance, with instructions to inquire into and report upon the matters therein contained. Such a course would be useful without being invidious, and a report based upon such alteration would probably be attended with beneficial results.

Mr. Perceval caught at the alternative thus presented, and immediately proposed that the motion should be thus altered :—

“That there should be an instruction to the committee of public expenditure, to procure a list of all places, pensions, &c., specifying by whom they were held, with the exception of those belonging to the army and navy, and officers *below 200*l.* a year in the revenue*, and that they should cause this list to be laid on the table.”

To this compromise I demurred, stating that “my motive had not been made in expectation of pecuniary saving, but because a general feeling existed in the country regarding *the corruption of the House of Commons!* *It was notorious that commissions in the army and navy had been given for votes in that House*, and to such an extent was the system carried, that the best way to preferment was considered to be by the purchase of a house or two in usually contested boroughs. I could not accept as a substitute for my motion an alphabetical list of pensions and places, though it would be an object of great curiosity, and though many might be ashamed of holding such offices if their names were exposed to public view. On these grounds I would press my motion to a division,”—which was carried against me by a majority of 29.

Mr. Perceval then moved his amendment, which elicited from Mr. Whitbread a declaration, that “it was unquestionably Lord Cochrane’s meaning that there should be exhibited, during the present session of Parliament, a list of *all* the members of that House holding sinecure offices, places, &c., under Government, and *in that way liable to have their conduct influenced. If such a return were not made, the House would disgrace itself.* Those who at present respected the House would suspect that all was not right; whilst those who already suspected it would have their suspicions confirmed.”

Mr. Sheridan also pronounced Mr. Perceval’s amendment “to be nothing but an evasion of my motion, intended to overwhelm the inquiry, and thus to suffocate the object Lord Cochrane had

in view." The House, however, was not inclined to publish its own shame, and Mr. Perceval's amendment was carried by a large majority. So far as the production of the general pension list was concerned, my first essay in the House was thus a success.

The ill-feeling, however, engendered towards myself amongst men of both parties, the greater portion of whom were either implicated in, or recipients of, the corruption denounced by a few servants of the Crown, cannot at the present day be conveyed to the imagination of the reader. To appreciate it he must have been conversant with such matters fifty years ago, and have witnessed the first onslaught made upon them from a quarter so unexpected.

On the 10th of July, I brought forward a motion on naval abuses. As in the present day any discussion of a matter so remote would be tedious, it will suffice for the continuation of the narrative to transcribe from the pages of Hansard all that need be said on the subject.

"LORD COCHRANE rose and said : 'Sir,—A wish to avert part of the impending dangers of my country has made me resolve to move for certain papers relative to the naval service, not with a retrospective view to blame individuals, but that unnecessary hardships may cease to exist. I am willing to believe that members of this House, whose talents are capable to do justice to the cause, are ignorant of circumstances which for years have embittered the lives of seamen employed in His Majesty's service; and that as to the gentlemen of the naval profession who have seats here, I suppose that the diffidence occasioned by the awe which this House at first inspires, has prevented them from performing this important duty.

"I shall be as brief as possible, but as the nature of some of the papers for which I am about to move is unknown to many members of this House, it will be necessary that I should give some explanation. The first motion is, "That there be laid before this House copies of all letters or representations made by commanders of H.M.'s sloop 'Atalante' and schooner 'Felix,' addressed to Captain Keats (commanding off Rochefort), respecting the state and condition of those vessels, and the sick therein."

"The object of this motion is to prove that vessels, under the present system, are kept at sea in a dangerous state, and that the lives of many officers and men are in constant peril. Lieutenant Cameron, who commanded the 'Felix,' and since lost in that vessel, was one of the best and ablest officers I ever knew. He found it incumbent on him to report that the 'Felix' ought to be sent into port to repair. I shall read part of two letters from the surgeon, dated three months before they all perished, and previous to Lieutenant Cameron's being appointed to command that vessel. The other dated eight days before that melancholy event. On the 14th of November, he says,—“Our noble commander has been very active in his endeavours to get confirmed to this vessel, much more than I should be : she sails worse and worse,

and I think the chances are against our ever bringing her into an English port." On the 14th of January, 1807, the surgeon says,—“Every endeavour has been put in force by Cameron and myself to get her into port, but without success. He attacked the commodore with most miserable epistles of distress throughout, and I attacked him with a very formidable sick list, but all, my friend, would not do.”

“I may be told that there is danger in agitating such subjects; but there can be none at any time in bringing to the knowledge of the Legislature, for redress, that which is notorious to those who have a right to claim it. No, Sir, let grievances be redressed in time, and complaints will cease. When the ‘*Impérieuse*,’ the ship I command, was about to leave Rochefort, I was ordered to revictual the ‘*Atalante*’ for six weeks, though she had then been out eight months—a period sufficient to ruin the health, break the energy, and weary the spirit of all employed in such a vessel. The ‘*Atalante*’ was hauled alongside, the commander and several officers came on board and informed me of the bad condition of their sloop. They said she was wholly unfit to keep the sea, and that a gale of wind would cause her inevitable loss. I think they said the fore-mast, and bowsprit, and fore-yard, were all sprung; besides, the vessel made twenty inches of water per hour. I thought it well to mention the circumstances, thus reported, to the commanding officer off Rochefort—for I well knew that the minds of subordinate officers ordered to survey were impressed with terror, lest any vessel surveyed should not be found, on arriving in port, quite so bad as represented. Their usual plan therefore is, to say such a vessel can keep the sea a-while longer—knowing that if any accident occurs it will be ascribed to zeal for the good of His Majesty’s service! So much impressed was I with the bad state of this vessel, that I said to the builder of Plymouth-yard, in the presence of Admiral Sutton, on my arrival there, that the first news we should have from Rochefort, if there should happen to be a gale of wind, would be the loss of the ‘*Atalante*.’ Under the harassing system of eight or nine months’ cruises, men get tired of their lives, and even indifferent as to the choice between a French prison and their present misery.

“The next document I propose to move for is—“An abstract of the weekly accounts of H.M.’s ships and frigates employed off Brest and Rochefort, from the 1st of March, 1806, until the 1st of March, 1807.” From this the number of men employed, the number of sick, the time the ships have been kept at sea, and the time they have been allowed in harbour to refit the vessels and recruit the crews, will appear. The ‘*Plantagenet*,’ for instance, was eight months within four hours’ sail of England. She was then forced, by stress of weather, into Falmouth, where she remained twelve days wind-bound; but an order existed (which I shall presently make the subject of a motion) by which neither officer nor man could stretch his legs on the gravel beach within fifty yards of the ship! In order to show how little benefit has been derived from supplies at sea, as a substitute for refreshment and recreation which the crews were formerly suffered to enjoy, I shall next move—“That there be laid before this House an account of the quantity of fresh provisions, expressed in days’ allowance, received at sea by each of H.M.’s ships off Rochefort and Brest, from the 1st of March, 1806, to the 1st of March, 1807.” Formerly, when the four months’ provisions were ex-

pended, the return of a ship to port was a matter of course ; but now they are victualled and revictualled at sea ; so that an East India voyage is performed with more refreshment than a Channel cruise. Lime-juice is the substitute for fresh provisions, a debilitating antidote to the scurvy—unfit to re-establish the strength of the body impaired by the constant use of salt provisions.

“The next motion (which I shall propose) is—“That there be laid before this House all orders issued and acted on between the 1st of March, 1806, and March, 1807, respecting leave to be granted or withheld from officers or men, distinguishing who was Commander-in-chief at the times of issuing such orders.” It is a hard case that in harbour neither officer nor men shall be permitted to go on shore ; these orders I do not hesitate to condemn ; and the injustice appears the more striking, when it is remembered that the Commander-in-chief resided in London, enjoying not only the salary of his office, but claiming the emolument of prize-money gained by the toil of those in active service. I shall not be surprised to find the office of Commander-in-chief bestowed on some favourite as a sinecure by some future minister.

“With respect to the sick, I feel it necessary to say a few words, but I shall first read my motion on that subject—“That there be laid before this House all orders issued and acted on between the 1st of March, 1805, and the 1st of March, 1807, by, or by the authority of the Commander-in-chief of H.M.’s ships and vessels in the Channel, allowing or restraining commanding officers from sending men to the naval hospitals, or restricting their admission to such hospitals.” In consequence of regulations established in these institutions, men are frequently refused admittance. No man, whatever may be his state of health, can be sent to an hospital from any of the ships in the Channel fleet, unless previously examined by the surgeon of the Commander-in-chief. Deaths, amputations, and total loss of health, were the consequences of the impossibility of this officer going from ship to ship, in bad weather, when opportunity offered to convey the sick to port. So pertinaciously were such regulations adhered to, that although I sent a sick lieutenant and a man ruptured to the hospital, they were not admitted. The disease of the one (who was under salivation) was declared to be contrary to the order regulating admission, and he was returned through sleet and rain : the other was refused because everything *possible* had not been done to reduce the rupture, as he had not been hung up by the heels, in a rolling sea, which might have proved his death !

“The system of naval hospitals is thoroughly bad. Mistaken economy has even reduced the quantity of lint for the purpose of dressing wounds. To the ships there is not half enough allowed. Unworthy savings have been unworthily made, endangering the lives of officers and seamen. Indeed the grievances of the navy have been, and are so severe, through rigour and mistaken economy, that I can see nothing more meritorious than the patience with which these grievances have been endured.”

“Sir Samuel Hood, Admiral Harvey, Admiral Markham, the Chancellor of the Exchequer, Mr. Windham, and others, spoke against the motion.

“Lord Cochrane rose *in reply*, and said, ‘I disclaim, Sir, any motive

whatever, except a regard for the real interests of my country, though I confess that I cannot help feeling in common with others the treatment received. Improper motives have been imputed to me, and I might reply to one of those gentlemen who has denied facts which I can prove, that he was one of those who established this abominable system. What his abilities may be, in matters not connected with the naval service, I know not; but it is a known fact that his noble patron, the Earl of St. Vincent, sent the master of the 'Ville de Paris' to put his ship in some tolerable order. (Here there was a cry of order, order, from Admiral Harvey and others.)

"With respect to the assertion made by the same gentleman, that the health of the men is increased by long cruises at sea, and that of the Commander-in-chief is improved by being on shore, he may reconcile that if he can. I shall not follow the example of imputing improper motives (looking at Captain Sir Samuel Hood); but another complaint is, that under this obnoxious system of favouritism, captains have been appointed to large commands of six and seven sail of the line, as many frigates and as many sloops of war, the right of admirals who have served, and can serve their country, and who have bled in its cause. But perhaps, for such times, their ranks did not afford a prospect of their being sufficiently subservient.

"This House, I believe, need not be told that from this cause there are admirals of ability who have lingered in neglect. (A cry of order, order, from Admiral Harvey and others.) Sir, two parts of the statement of the honourable knight are especially worthy of notice, so far as they were meant as a reply to my statement. He said he had a hundred men killed and wounded in his ship, and no complaint, no inconvenience arose from want of lint, or anything else. First, this occurred when surgeons supplied their own necessities, and next, the wounded men were sent on the day following to Gibraltar Hospital.

"Now, Sir, with respect to the blame said to be attributed by me to Lord St. Vincent for the loss of the 'Felix' and 'Atalante'—I have to say, that it is of the general system and its consequences of which I complain—of endless cruises, rendering surveys at sea a substitute for a proper examination of the state of ships in port. The honourable knight is a little unfortunate in the comparison he has made—saying, that Lord St. Vincent was no more to blame in the case of these vessels, than for my getting the 'Impérieuse' on shore on the coast of France. Now, since this subject has been touched on, I must state, that I made application for a court-martial on my conduct; but it was not granted, because the blame would have fallen where it ought—on the person whose repeated positive commands sent the ship to sea in an unfit condition. The people of the yard had not finished the work, all was in confusion. The quarter-deck guns lay unfitted, forty tons of ballast, besides provisions of all kinds, remained on deck. The powder (allowed to be taken on board only when the ship is out of harbour) was received when the ship was in that condition, and the 'Impérieuse' was hurried to sea without a cartridge filled or a gun loaded! The order issued was, to quit the port the instant the ship would steer, regardless of every other material circumstance. (Another cry of order, order, from the same gentlemen. The Speaker said the noble lord must confine himself to the motion before the House.)

“Well, Sir, it is asserted that a profusion of oranges is supplied to the fleet at Lisbon, in reply to my statement, that none are allowed in the hospitals at home. I have not heard from any of those who have so zealously spoken on the other side, a defence of the obnoxious order to keep all officers and men on board. All such grievances may seem slight and matter of indifference to those who are here at their ease; but I view them in another light, and if no one better qualified will represent subjects of great complaint, I will do so, independent of every personal consideration.

“In the course of the debate it has been asserted, that I said lime-juice was a bad cure for the scurvy—no, it is a cure, and almost a certain cure, but debilitating—it destroys the disease, but ruins the constitution. An hon. member (Mr. Sheridan) has said, that all this should have been represented to the Admiralty, that this House is an improper place for such discussions, and he has threatened to call for all letters from me to the Board. To the first, I answer, that Boards pay no attention to the representations of individuals whom they consider under their command; next, that if the right honourable gentleman calls for my letters, he will find some that will not suit his purpose.

“Sir, besides the public abuses, the oppression and scandalous persecution of individuals, often on anonymous information, has been, and is matter of great complaint. Sir, if the present Admiralty shall increase the sum allowed for the refreshment of crews in port, instead of corrupting their bodies by salt provisions, and then drenching them with lime-juice, they will deserve the gratitude and thanks of all employed. In the navy, we have had to lament the system that makes the Admiralty an appendage of the minister of the day, and that just as a Board begin to see, and perhaps to plan reform, they are removed from office. I trust, Sir, that I shall not be denied the papers moved for, and that my motion will not be got rid of by a blind vote of confidence, or the subterfuge of the previous question.’

“The motion was negatived without a division.”*

From the preceding extract it will have been seen that my motion produced no effect upon the House. It however produced a *cessation of my legislative functions!* for immediately afterwards I was ordered to join Lord Collingwood’s fleet in the Mediterranean; it being perhaps anticipated that I should vacate my seat in consequence; but this the electors of Westminster prevented, by giving me unlimited leave of absence from my parliamentary duties.

* Hansard’s Parliamentary Debates, vol. ix.

CHAPTER XIV.

CRUISE OF THE 'IMPÉRIEUSE.'

Cruise of the 'Impérieuse.'—Engagement with the 'King George.'—Off Toulon.—Fall in with thirteen merchantmen.—Am recalled by Lord Collingwood.—Russian declaration of war.—Capture a vessel from Corfu.—Run into Valencia.—Clear for action.—Death of Lieut. Caulfield.—Chase round Cape Negretti.—Blow up a tower at Minorca.—Capture of Spanish wine.—Fall in with the 'Leonidas.'—Capture a xebec.—Chase three ships.—Capture a xebec.—Cape Palos.—Gale at sea.—Joseph proclaimed King of Spain.—Spain declares war against France.

ON the 12th of September, 1807, the 'Impérieuse' sailed from Portsmouth to join Lord Collingwood's fleet in the Mediterranean, having in charge a convoy of thirty-eight sail of merchantmen destined for Gibraltar and Malta. We reached Malta on the 31st of October, and finding that Lord Collingwood was cruising off Palermo, sailed on the 5th of November to join his fleet.

On the 14th, under the land of Corsica, two strange sail were discovered, and it being calm, the boats were manned and gave chase, the larger of the vessels showing English colours. Finding that this *ruse* did not check the progress of the boats, she hove-to, and when they had advanced within musket-shot, hauled in her colours and commenced firing with musketry and long guns; the boats, however, dashed alongside, and in five minutes, after considerable slaughter, were in possession.

She proved to be a Maltese privateer of 10 guns; her crew, however, consisting of Russians, Italians, and Sclavonians, the captain only being a Maltese. In this affair we lost one man killed, and two officers and thirteen men wounded. The loss of the privateer was far more considerable, her treachery being severely punished.

I was much vexed at this affair, for the vessel, though hailing from Malta, was in reality a pirate, and ought to have been treated as such. After despatching her to Malta, I addressed the following letter on the subject to Lord Collingwood:—

"H.M.S. 'Impérieuse,' off Corsica,

"14th November, 1807.

"MY LORD,—I am sorry to inform your lordship of a circumstance which has already been fatal to two of our best men, and I fear of

thirteen others wounded two will not survive. These wounds they received in an engagement with a set of desperate savages collected in a privateer, said to be the 'King George,' of Malta, wherein the only subjects of his Britannic Majesty were three Maltese boys, one Gibraltar man, and a naturalized captain; the others being renegadoes from all countries, and great part of them belonging to nations at war with Great Britain.

"This vessel, my lord, was close to the Corsican shore. On the near approach of our boats a union-jack was hung over her gunwale. One boat of the three, which had no gun, went within hail, and told them that we were English. The boats then approached, but when close alongside, the colours of the stranger were taken in, and a volley of grape and musketry discharged in the most barbarous and savage manner, their muskets and blunderbusses being pointed from beneath the netting close to the people's breasts.

"The rest of the men and officers then boarded and carried the vessel in the most gallant manner. The bravery shown and exertion used on this occasion were worthy of a better cause.

"I have the honour, &c.

"COCHRANE.

"The Right Hon. Lord Collingwood."

This pirate, for the capture of which, as was subsequently learned, 500*l.* had been offered, was after much trouble condemned as a *droit of Admiralty*! it being evidently hoped that by this course such influence might be brought to bear as would eventually procure her restoration: for it was currently reported at Malta that certain persons connected with the Admiralty Court had a share in her! Be this as it may, we never obtained the premium for her capture, but in place thereof were *condemned by the Court of Admiralty to pay five hundred double sequins*! After this, the Maltese Court always threw every obstacle in the way of condemning our prizes, and, when this was effected, with such costs as to render the term "prize" almost a misnomer; a subject on which some strange stories will have to be told in another place.

On the 19th we joined Lord Collingwood's fleet off Toulon, consisting of the 'Ocean,' 'Malta,' 'Montague,' 'Tiger,' 'Repulse,' 'Canopus,' and 'Espoir.' The 'Impérieuse' was forthwith ordered to Malta, to land the wounded, after which we were directed by Lord Collingwood to proceed to the Archipelago, his lordship giving me an order to supersede the officer in command of the blockading squadron there.

On the 26th we again fell in with the fleet off Sardinia, and on the 29th anchored in Valetta, our pirate prize having arrived on the preceding evening. On the 6th of December, the 'Impérieuse' sailed for the Archipelago, and on the 8th passed

between Zante and Cephalonia. On the 11th we joined the blockading squadron in the Adriatic, consisting of the 'Unité,' 'Thames,' 'Porcupine,' and 'Weasel,' which were then watching some French frigates in Corfu. On the 12th, the 'Impérieuse' overhauled three Russian vessels, one of which threw overboard three bundles of letters. By prompt exertion we were lucky enough to rescue these, and found them to contain important intelligence.

On arriving off Corfu, and pending the necessary arrangements for transferring the command of the blockading squadron to myself, I asked leave of the senior officer still in command to take a run to the north end of the island. This being granted, we sailed forthwith, and to our surprise soon afterwards fell in with thirteen merchantmen, as leisurely proceeding along the blockaded coast as though we had belonged to their own nation! Singling out the three nearest to us, we took possession of them, and to our astonishment found that each had a pass from the officer I was ordered to supersede!

Despite this unlooked-for protection, I sent them to Malta for adjudication, and they were, I believe, condemned. The immediate result to myself, however—as Lord Collingwood long afterwards told me—was *the withdrawal of my appointment to the command of the blockading squadron!* The commanding officer, whose passes I had intercepted, promptly took the initiative, and without apprising me, despatched one of his vessels to Lord Collingwood, with a letter stating generally that, "*from my want of discretion I was unfit to be entrusted with a single ship, much less with the command of a squadron!*" Lord Collingwood acted on the representation without making inquiry into its cause, and the consequence was my recall to receive further orders from his lordship, this amounting to my deposition from the only command of a squadron that was ever offered to me.

I was, of course, ignorant of Lord Collingwood's reasons for recalling me, though greatly disappointed at such a result. It was not till some time afterwards, when too late to remedy the injury, that I ventured to ask his lordship the reason of such a proceeding. He frankly told me, when I as frankly informed him of the intercepted passes, and that my senior officer had traduced me to his lordship, by way of first blow in a serious scrape. Lord Collingwood was very indignant, but from the lapse of time, and probably from having neglected to investigate the matter at the time, he thought it better not to

reopen it, and thus my traducer continued his pass trade with impunity.

I give the above incident as it occurred. Those to whom such a statement may appear incredible will find, on consulting the pages of Captain Brenton, that it was not an isolated instance.

I shall add, that on my return from the Mediterranean, in 1809, an officer, who shall be nameless, waited on me at Portsmouth, and begged me not to make official or public mention of the preceding circumstance, or it would be his ruin. I made him no promise, but having then the preparation for the Basque Roads attack on my hands, there was no time to attend to the matter, and as the circumstance had not been officially reported by me at the time—as indeed it did not come within my province to report it—I never afterwards troubled myself about it, though this shameless proceeding had deprived me of the only chance I ever had to command more than a single ship!*

On the 17th we fell in with a brig bound from Trieste to Lord Collingwood with despatches, announcing that Russia had declared hostilities against England. This intelligence was fortunate, as there were several Russian ships of war in the Gulf, with one of which—a line-of-battle ship—we had fallen in only two days previous.

The professed origin of the declaration of Russia against England was our questionable conduct at Copenhagen. But notwithstanding the assumption by Russia, that she had endeavoured to serve our cause at Tilsit, there is no doubt but that she was secretly leagued with Napoleon against us. I never knew what was in the letters we rescued, as they were sent to Lord Collingwood; but no doubt they contained important intelligence for the French squadron then in the Archipelago, and, coming from a Russian source, there was little question as to the nature of their contents, which appeared to be conclusive in the estimation of the British authorities.

On the 22nd the '*Impérieuse*' stood into the Gulf of Valona under French colours, and saw some vessels close in under the batteries. As soon as it became dark, we manned the boats and brought out a Turkish vessel under the fire of a battery.

* The excuse offered to me was, that the purser had been making use of the captain's name, for his own purposes! A very improbable story, as in such a case it would not have been difficult to convict the purser and exonerate himself. The disgraceful letter to Lord Collingwood, however, clearly pointed out the delinquent.

On the 30th again joined the squadron, and learned that the Russian fleet, consisting of five sail of the line and three frigates, had left Corfu and gone up the Adriatic. On the 2nd of January, 1808, we joined Lord Collingwood, the fleet then bearing up in the direction of Syracuse. On the 8th gave chase to some vessels off the south point of Cephalonia, sending the boats after them into the bay; but the enemy being on the alert, and the vessels being run on shore, it became necessary to recall the boats. On the 12th, when off Otranto, we captured a vessel from Corfu to that place laden with clothing and iron.

On the 23rd we again joined Lord Collingwood off Corfu, and were despatched to Malta with sealed orders, arriving there on the 28th. Having filled up our water and provisions, the '*Impérieuse*' was then ordered to Gibraltar, for which port we sailed on the 31st, my expectations of increased command, thanks to the adroit turn given to my seizure of the intercepted passes, being thus at an end.

The instructions now given me by Lord Collingwood were to harass the Spanish and French coast as opportunity served. These instructions, though forming a poor equivalent for the command of a squadron, were nevertheless complimentary, as acknowledging the good effected by my former cruises in the '*Speedy*.' Consequently, I determined to make every exertion to merit his lordship's approbation in the present instance.

On the 9th of February we made the high land of Spain to the eastward of Barcelona, and at daylight on the following morning fell in with two vessels bound from Carthagena to Marseilles, both of which were captured and sent to Malta with the prisoners.

On the 11th looked into Barcelona, where a considerable number of vessels lay at anchor, but knowing the fortifications to be too strong to warrant success in an attempt to cut any of them out, the '*Impérieuse*' again made sail. On the 18th we ran in close to Valencia, and having on the previous day perceived some vessels anchored within a mile of the town, the boats were sent off after dark to capture them, but as they unfortunately proved to be American, our labour was abortive.

On the 15th we arrived off Alicant, and at daylight stood close to the town under American colours. Two boats came out, but finding their mistake when within gun-shot, they immediately made for the shore, and the batteries opened fire upon us. A

there was scarcely a house which the French had not sacked, carrying off everything that was valuable, and wantonly destroying the remainder. The inhabitants were in a miserable condition.

The two next days were employed in blowing down rocks, and otherwise destroying roads in every direction which the French were likely to take, the people aiding heart and soul, anxiously listening to every suggestion for retarding the enemy's movements, and evincing the greatest alacrity to put them in practice. In short, I had taken on myself the duties of an engineer officer, though occupation of this kind was, perhaps, out of my sphere as commander of a frigate; and there is no doubt that I might have better consulted my personal interests by looking after prizes at sea, for, except from Lord Collingwood, not so much as an acknowledgment of my persevering exertions was vouchsafed. I was, however, indignant at seeing the wanton devastation committed by a military power, pretending to high notions of civilization, and on that account spared no pains to instruct the persecuted inhabitants how to turn the tables on their spoilers; making—as throughout life I have ever done—common cause with the oppressed.

Having effected all the mischief possible, we weighed for Mongat, ten miles from Barcelona, and anchored off the place at sunset. I had previously received intelligence that General Duhesme was approaching Barcelona with a strong force to relieve the French garrison in possession, and my object was to destroy the fort at Mongat before Duhesme's force came up. For this, however, we were too late, the advanced guard having occupied the fort before our arrival. The people, however, came off with an assurance that, if we would attack the French, 800 Spaniards were ready to assist us. As the destruction of the fort was my principal object, I at once assented, and we commenced blowing up the road between Barcelona and Mongat, so that the communication on that side was effectively cut off, whilst the guns of General Duhesme's force were rendered immovable on the other; these he afterwards abandoned.

On the 30th it fell calm, and having weighed anchor we drifted down as far as Mataro, but too distant from the shore to attempt anything. Having received intelligence of the continued advance of General Duhesme, we again returned, and anchored within five miles of Mongat, the inhabitants coming

off to beg for assistance, as the French in the fort were keeping up a constant fire on their party in the woods, though without venturing to dislodge them.

It is, perhaps, here necessary to explain that General Duhesme had on the 26th of July been compelled, by a well-executed movement on the part of the Count de Caldagues, to raise the siege of Gerona, in which he had been employed for upwards of a fortnight, his force being driven to Sarria, where they were protected by their cavalry. During the night they separated into two divisions, one retreating towards Figueras, and the other in the direction of Barcelona.

It was to the latter division that my attention was directed. To reach Barcelona with heavy guns, the enemy must of necessity proceed by way of Mongat, the castle or fort of which place commanded a pass on their way. By breaking up the roads, the passage of the guns was impeded, as has been described; but, as the French had possession of the castle, it was essential that they should be dislodged as speedily as possible. The Spanish militia, being eager to second our efforts, I determined to make the attack forthwith.

At 8 A.M. on the 31st the 'Impérieuse' got under weigh, and stood towards the castle, whilst I landed in the gig, and mounted the hills overhanging the position, for the purpose of reconnoitring; finding an attack practicable, I returned on board, and we cleared for action.

The Spaniards, seeing the 'Impérieuse' stand in, and being eager for the onset, gallantly dashed up a hill where the French had established an outpost, and either killed or took the whole prisoners; upon which the garrison in the fort opened a heavy fire to dislodge the victorious Spaniards, but without effect. By this time I had got the 'Impérieuse' well in, and had given the castle a couple of well-directed broadsides when the enemy hung out flags of truce.

On this I landed with a party of marines, but the exasperated Spaniards, elated by their recent victory, paid no attention to the flags of truce, and were advancing up the hill to storm the place, the French still firing to keep them in check. I was immediately conducted to the castle, where the French troops were drawn up on each side of the gate. On entering, the commandant requested me not to allow the peasantry to follow, as they would only surrender to me, and not to the Spaniards, of whose vengeance they were evidently afraid.

After giving the commandant a lecture on the barbarities that had been committed on the coast, and pointing out the folly of such a course, inasmuch as, had his troops fallen into the hands of the Spanish peasantry, not a man would have escaped with life, I acceded to the request to surrender to us alone, and promised the escort of our marines to the frigate.

The commandant then gave me his sword, and his troops forthwith laid down their arms. We had, however, even after this surrender, some trouble in keeping out the irritated Spaniards, who were actuated rather by the excitement of vengeance than by the rules of war; and it was not without a few blows, and forcing some of the assailants over the parapet, that we succeeded in keeping them off.

The Spaniards were with some difficulty made to understand that, however exasperated they might be at the conduct of the French, the latter were British prisoners, and not a hair of their heads should be hurt. When we were somewhat assured of their safety, the prisoners were marched down to the boats; and glad enough they were to get there, for the Spaniards accompanied them with volleys of abuse, declaring that they might thank the English for their lives, which, had the Spanish party succeeded in storming the fort, should have been sacrificed.

What became of the men forming the captured outpost I never knew, and was not anxious to inquire. Having placed the troops on board, we took off four brass field-pieces with their appendages, and threw the iron guns over the parapet; after which the Spaniards were allowed to ransack the fort. At 6 P.M. we laid a train to the French ammunition, and soon after the whole blew up. Spanish colours were then hoisted on the ruins, amidst the hearty cheers of thousands with arms in their hands, who had by this time flocked to the spot, though when we landed not a single inhabitant was to be seen. Soon after we gained possession, men, women, and children came from their hiding-places in abundance, expressing grateful satisfaction at the capture of the enemy.

It would have been well if the leaders of the French army in other parts of Spain could have seen the exasperation produced by the barbarous propensities of these detachments of troops, who appeared to be under no moral discipline. Except, perhaps, in actual fight, their officers had no control over them, so that their path was marked by excesses of every kind. This is a fatal mistake in armies, as the French afterwards found else-

where—it degrades war into extermination. Our prisoners did not even deny that the Spaniards would only have exercised a just retaliation by immolating them, but contented themselves by saying that they would never have given in to the Spaniards whilst a man remained alive.

After we had blown up the castle, the ‘Cambrian’ arrived, and to her, by permission of her captain, we transferred half our prisoners. On the following morning we sailed from Mongat, having first presented the chief commanding the Spaniards with two of the field-pieces taken the day before, together with a sufficient supply of powder and ammunition.

General Duhesme reached Barcelona by making a *détour* into the interior, after an absence of about a month, during which the destruction of the roads had been going on. He was highly exasperated with the unfortunate inhabitants, though for no better reason than that all his plans had been thwarted, and, pointing the guns of the citadel on the town, he threatened it with destruction, unless his force was supplied with 12,000 rations daily, with wine and brandy in proportion; following up this injustice by seizing the most respectable inhabitants for the purpose of extorting ransoms for their liberation.

Great credit is due to the Catalans for the spirit thus manifested at a time when all the more important strongholds of Catalonia were in the hands of the enemy. I say Catalonia, as being concerned with that province only, though there was reason to know that the like patriotism was manifested in the western provinces, though, from the preponderance of the enemy, with less effect.

Even when Duhesme had reached Barcelona, he had great difficulty in maintaining himself, as the activity of the patriots in cutting off his supplies by land was worthy of their cause, and the ‘Impérieuse’ and other English vessels of war took care that he got no supplies by sea.

On the 31st of July I addressed the subjoined despatch to Lord Collingwood:—

“H.M.S. ‘Impérieuse,’ off Mongat, Catalonia,
“31st July, 1808.

“MY LORD,—The castle of Mongat, an important post, completely commanding a pass on the road from Gerona to Barcelona, which the French are now besieging, and the only post between these towns occupied by the enemy, surrendered this morning to his Majesty’s ship under my command.

“The Spanish militia behaved admirably in carrying an outpost on

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a neighbouring hill. Lieutenant Hoare of the marines took possession of the castle, which, by means of powder, is now levelled with the ground, and the pending rocks are blown down into the road, which in many other places is also rendered impassable to artillery, without a very heavy loss of men, if the French resolve to repair them.

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"I enclose to your lordship a list of the prisoners, and of the material part of the military stores, all of which that could be useful to the Spaniards have been delivered to them.

"I have the honour, &c.

"The Rt. Hon. Lord Collingwood."

"COCHRANE.

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Having effected everything possible at Mongat, we made sail on the 4th of August, and anchored off San Felin, where—whilst the ship was employed in filling up water—I rode five miles into the country to inspect a battery which the Spaniards had erected to prevent the French from marching on the town. It was situated on an eminence, commanding the road to Gerona and Mataro, and was completely surrounded by high trees, so as not to be visible from the road. If properly defended, it would have presented a formidable obstacle, but as it was, the French infantry would have taken it in a few minutes. I gave the Spaniards instructions how to strengthen the position, but as they told me they could in a short time collect 3000 armed peasantry, I bid them rather rely on these by maintaining a guerilla warfare, which, if conducted with their usual judgment and activity, would harass the enemy more than the battery.

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The Catalans made capital guerilla troops, possessing considerable skill in the use of their weapons, though previously untrained. A character for turbulence was often attributed to them; but, in a country groaning under priestcraft and bad government, the sturdy spirit of independence, which prompted them to set the example of heroic defence of their country, might be, either mistakenly or purposely—the latter the more probable—set down for discontent and sedition. At any rate, the descendants of men who, in a former age, formed the outposts of the Christian world against Mahomedanism, in no way disgraced their ancestors, and became in the end the terror of their enemies. One quality they pre-eminently possess, viz. patience and endurance under privation; and this added to their hardy habits and adventurous disposition, contributed to form an enemy not to be despised—the less so that they were in every way disposed to repay the barbarities of the French with interest.

At 8 A.M. on the 6th, the 'Impérieuse' got under sail from

San Felin, and passing close to Palamos, arrived in the afternoon at Rosas, where we found the 'Montague' and 'Hind,' to the latter of which we transferred the prisoners. The 'Hind' was bound for Port Mahon with the Governor of Figueras and his family, who had to be escorted to the ship by the marines of the 'Montague' in order to protect him from popular vengeance, so exasperated were the Spaniards on account of the governor's cowardice or treachery in allowing the French to enter the fortress he had commanded, though from its position and strength he could easily have held out.

The fortress of Figueras was about twelve miles from Rosas, and was a place of amazing strength, having been constructed for the defence of one of the principal passes on the borders of Spain, and being well garrisoned and provisioned, it ought certainly to have withstood a considerable force. The Rosas people had a right to be indignant at its pusillanimous surrender, for not only did this expose their town, but it formed a marked contrast to one of their own exploits, when, being attacked by a large French force, they drove them back with the loss of 300 men.

On the 7th we filled up with water at a wretched place on the opposite side of the Bay of Rosas, and on the 8th sailed for San Felin, where we arrived on the 9th. On the 10th we were again off Barcelona, when a flag of truce was sent by the French to ask what had become of the troops we had taken at Mongat. On the 11th we bore up for San Felin and were joined by our gun-boat, after which we proceeded to see what was being done on the French coast, and bore up for Marseilles.

My object in proceeding in this direction was, that as the French troops kept out of our reach, there was no beneficial object to be gained by remaining on the Spanish coast; and it occurred to me, that by giving the French, in the neighbourhood of Marseilles, a taste of the evils they were inflicting on their Spanish neighbours, it would be possible to create an amount of alarm, which would have the effect of diverting troops intended for Catalonia, by the necessity of remaining to guard their own seaboard. It is wonderful what an amount of terrorism a small frigate is able to inspire on an enemy's coast. Actions between line-of-battle ships are, no doubt, very imposing; but for real effect I would prefer a score or two of small vessels, well handled, to any fleet of line-of-battle ships.

On the 15th we stood into the Bay of Marseilles, and anchored off the mouth of the Rhone, which was distant about eight miles. Sent the gun-boat in chase of a small vessel, but the crew ran her on shore, and escaped. The gun-boat burned her, and joined us again on the following morning, when we anchored abreast of a telegraph employed in signalizing our appearance on the coast. Here was a hint, the beneficial nature of which could not be doubted, and at once I decided on destroying the enemy's communications along shore. As a commencement, this telegraph was demolished without opposition.

On the 16th sent the gun-boat in chase of two vessels close to Cette. They escaped, but she brought back a boat with four men, who gave such information as induced me to send her on a cruise.

On the 17th, there being nothing in sight, we made preparations for destroying the signal-station on the island of Boni, which commands the entrance to the Rhone. Landing ninety men in the boats, we were just in time to see the troops in charge of the station abandon it; and having possessed ourselves of the signals, we blew up the place and returned to the ship.

We then got under weigh, and by 4 o'clock were close to Montpellier, firing on a fort as we passed. Perceiving another signal-station in the vicinity, we again out boats, and proceeded to destroy it, but found this not so easy a matter as on the last occasion, for we had two rivers to ford, each mid-leg in mud, and had moreover to encounter a fire of musketry, but at a distance which did no harm, so that with some difficulty we accomplished our object. This station was called Frontignan, the one last blown up being named La Pinede. At 8 P.M. we returned to the 'Impérieuse,' with no other damage than being thoroughly encased in mud.

In the night we ran out about ten miles, having no confidence in the anchorage, and at daylight on the 19th again went in shore, carefully feeling our way by the lead, which showed us that the soundings were highly dangerous. We, nevertheless, came to an anchor off a place called Dumet, when we again out boats and destroyed another signal-tower, together with four houses connected with it. At 2 P.M. we got under sail and bore up, joining the gun-boat to leeward. Supplying her with a new yard and bowsprit, her former spars being carried away, we sent her in shore.

On the 21st it fell so calm that the 'Impérieuse' had to be brought to an anchor in Gulf Dumet. At 3 A.M. the boats were manned to destroy a building which we had been informed was a custom-house. This having been set fire to, they returned on board, and were shortly afterwards despatched to destroy another signal-station; but as troops were now perceived on the look-out, it was not worth while to risk the men, and the boats were recalled. We then got under sail, passing once more close to Montpellier and Cette, where we again joined the gun-boat, and stood into the Bay of Perpignan—forming the west portion of Marseilles Bay—where we destroyed another signal-station called Cañet.

At 3 A.M., on the 24th, the morning being still dark, we manned three boats to destroy another signal-station called St. Maguire, about three miles distant, and at about half-past four, when within ten yards of the beach, were saluted by two heavy guns with grape, which, passing over the boats, luckily did no damage. Fearing an ambuscade, we pulled out of reach of musketry, but calculating that the French would not venture far in the dark—my favourite time for attacks of any kind—instead of returning to the ship, we made straight for the signal-station, and blew it up amidst a dropping fire of musketry, which, as we could not be distinguished, failed in its direction, and consequently did no harm. Having completed our work, we next marched along the beach in line towards a battery, observed on the previous evening, skirmishing as we proceeded, our boats meanwhile covering us with their 9-pounders; the French also keeping up a constant fire with their guns, but in a wrong direction.

On storming the battery, with the usual British cheer, the enemy rushed out in an opposite direction, firing as they went, but without effect. We then took possession of two brass 24-pounders, but whilst making preparations to get them off were alarmed by recall guns from the frigate, from the mast-head of which, as day was now beginning to break, a force of cavalry had been seen making for us over the crest of a hill.

We had already had one narrow escape, for on taking possession of the battery it was found that the magazine was prepared for blowing us up, but fortunately, in the hurry of its late occupants to escape, the match had not caught fire. There was, however, now no time to be lost, so placing a barrel of powder under each gun and setting fire to the matches, both

were blown up, as was also the battery itself by lighting the match attached to the magazine.

This somewhat staggered the cavalry in pursuit, but they soon recovered, and some smart skirmishing took place on our retreat to the boats, which all the time maintained a well-directed fire on the enemy, keeping them in check, so that we got clear off with the loss of one seaman only—a gallant fellow named Hogan—who was blown up and terribly shattered, in consequence of a cartouch box buckled round his waist having exploded while setting fire to the trains. We otherwise arrived safe on board about 7 A.M., somewhat fatigued by the night's adventure.

We now got under sail, passing close to Perpignan, and were fired upon from Point Vendré, where a French brig of war lay at anchor under the fortification, and therefore was too well protected to be safely interfered with.

In this cruise against the French signal-stations, the precaution of obtaining their signal-books before destroying the semaphores was adopted; and in order to make the enemy believe that the books also were destroyed, all the papers found were scattered about in a half-burnt condition. The trick was successful, and the French authorities, considering that the signal-books had been destroyed also, did not deem it necessary to alter their signals, which were forwarded by me to Lord Collingwood, who was thus informed by the French semaphores, when re-established, of all the movements of their own ships, as well as of the British ships from the promontory of Italy northward!

CHAPTER XVI.

CRUISE OF THE 'IMPÉRIEUSE' CONTINUED.

The French fleet.—The Mole of Ciotat.—The Gulf of Foz.—Take possession of the battery.—Silence the batteries.—Anchor off Cette.—Despatch the prizes.—How we obtained fresh water.—Demolish a telegraph.—Frigate to leeward.—Ordered to Gibraltar.—Ingratitude of Government.—Letter of Lord Collingwood.—Letter of Lord Cochrane.

On the 2nd of September the 'Impérieuse' rejoined the fleet off Toulon, and received orders from Lord Collingwood to renew operations on the enemy's coasts. As the French, though by our previous operations, and by the spirit thereby inspired

amongst the inhabitants, were disinclined to advance into Catalonia, they were nevertheless in considerable force in the neighbourhood of Figueras and Rosas, we therefore leisurely sailed in the direction of the latter port.

Keeping well in with the French coast, some gun-boats were observed at 8 A.M. on the following morning close in with the town of Ciotat, between Toulon and Marseilles. One of these being somewhat detached, we hoisted out all boats in chase, but on the remaining gun-boats and a battery on shore opening a heavy fire on them, they were recalled, and we cleared for action. At 10 A.M. six sail of French line-of-battle ships were observed to quit Toulon, but as they were far to leeward, there was nothing to apprehend from their interference; indeed after manœuvring for a short time, they returned to port, no doubt satisfied that the firing which had taken place was of little importance.

At 11 A.M. we anchored under an island, within range of our main-deck guns, but in such a position as to shelter us from the fire of the battery, which, finding that their guns could not be brought to bear, commenced a constant discharge of shells; but as no accurate aim could be taken, these inflicted no damage, though occasionally dropping near us. Taking no notice of these, we out boats, and sending them to a point out of sight of the battery, commenced throwing rockets into the town, which was twice set on fire; but as the houses were for the most part built of stone, the conflagration was confined to the spot where it had broken out. Our reason for molesting the town was that the inhabitants everywhere showed themselves in arms to oppose us.

Finding the place impervious to rockets, and the ship being too far out for a successful cannonade, we got under weigh, and took up a position within range of the fort, on which we continued firing till 8 P.M., almost every shot falling in the place. As it now came on to blow hard from the N.W., we were obliged to anchor.

During the night the enemy had got up a large gun close to the lighthouse, and by 10 o'clock on the following morning, a squadron consisting of four line-of-battle ships and three frigates left Toulon and commenced beating up towards us. We therefore did not again open fire, being unwilling to excite the squadron to pursue us.

However, at 3 P.M., as a large settee was running into the

mole of Ciotat, we discharged two shots at her, which went over and fell in the town. Upon this the mortar battery, seeing their squadron approaching, again opened fire, but, as before, without effect. We took no notice of this, but seeing the enemy manning the gun at the lighthouse, we beat to quarters, and prepared everything in case they should fire upon us, which was done at 4 P.M.

We again opened a heavy fire upon the town, every shot telling upon the houses, from which the inhabitants fled, no person being anywhere visible. At the expiration of an hour the lighthouse people left off firing, and the gun was pointed eastward to show that they did not intend to renew the conflict, upon which we ceased also, my object being not to batter the town, but to get possession of some of the numerous vessels anchored within the mole.

This purpose was, however, defeated by the perseverance of the Toulon squadron, the headmost ship of which—a fine frigate—was now within six miles of us, and coming up fast, supported by the others. We therefore thought best to get under weigh, and did so under the fire of batteries and mortars, none of which touched us. As soon as the enemy's fleet saw us under sail, they bore up and again ran into Toulon.

On the 6th, at midday, we anchored in the Bay of Marseilles, within half a mile from the shore, just out of range of the strongly fortified islands in the bay. Our appearance created the greatest alarm on the coast, from which people were hurrying with their moveables beyond the reach of shot. We had, however, no intention to molest them.

The 'Impérieuse' was now becalmed till midday on the 7th, when a breeze springing up, we again got under sail, and exchanged signals with the 'Spartan,' which shortly afterwards joined company. Having discovered three vessels lying in a small cove, we out boats, and brought out two of them, setting fire to the other. As the enemy had numerous troops ashore, they opened a brisk fire on the boats, and would probably have defeated our intention, had not the ships kept up a fire upon them whenever they approached. Thus aided, the boats lost only one man, with another wounded.

On the 8th the 'Spartan' and 'Impérieuse' stood towards the Gulf of Foz, where, seeing a number of troops placed for the defence of a signal telegraph, both ships manned boats, and in addition to the seamen, the marines of the 'Impérieuse'

were sent with a 9-pounder field-piece—one of our prizes from Duhesme's army. On effecting a landing, the enemy's troops retired to the interior, when, firing two volleys after them, the telegraph named Tignes was taken and blown up, the signals being secured as before.

On the 9th we passed close to Port Vendre, 'Spartan' in company, and anchored about a mile from the shore; but an alarm having been raised, and the troops on shore having got our range, we were, at 3 A.M. on the 10th, compelled to shift our position.

Before daylight the boats of both ships were manned, and pulled on shore, a battery firing at us, but as the shot went over, no mischief was done. Our seamen and marines having landed to the right of the battery, the enemy's troops fled, and we took possession, spiking the guns, destroying their carriages, and blowing up the barracks. These operations were scarcely completed, when a considerable body of troops made their appearance in the distance, and by the time we returned on board, a number of cavalry and artillery had assembled on the site of their demolished battery.

We now passed close to a small fishing town, where other guns were observed in position, both on the right and on the left, these being manned by regular troops and backed by hundreds of armed peasantry, who showed a bolder front than had the garrison of the battery recently destroyed. By way of feint, to draw off the attention of the cavalry, both 'Spartan' and 'Impérieuse' manned their small boats and the rocket boats with the ships' boys, dressed in marines' scarlet jackets, despatching these at some distance towards the right, as though an attack were there intended. The device was successful, and a body of cavalry, as we anticipated, promptly set off to receive them.

Meanwhile the ships stood towards the town, under a smart fire from the batteries, the shot from which several times took effect. When close in, the 'Impérieuse' opened her broadside, and the 'Spartan' following, an incessant fire was kept up for an hour, at the expiration of which the marines of both ships were landed. As soon as the boats touched the shore, the enemy fled from the battery, the guns of which were immediately spiked.

The cavalry, which had gone off to repel the sham attack to the right, having found out the trick which had been played

upon them, were now seen galloping back to save the battery, which had just been rendered useless, and from which our marines were now re-embarking. So intent were they on rescuing their guns, that they did not appear to have noticed the altered position of the ships, which, as soon as the horsemen approached within musket-shot, opened upon them with grape so effectually, that all who were not knocked out of their saddles rode off as fast as they could, and the marines leisurely returned to their respective ships.

As the French troops had now taken shelter in the town, and the people were everywhere armed, I returned to the 'Impérieuse' for the large boats, in each of which a gun was mounted, with the object of clearing the beach and silencing the other battery. By 6 o'clock this was accomplished, not only the battery, but many of the houses and vessels being destroyed. As our boats neared the town, a numerous body of troops again began a brisk fire with musketry; and by the time one of the largest vessels, which yet remained undemolished, could be blown up, the fire became so warm that it was advisable to cease from further operations, and we returned to the frigate.

In this affair a considerable number of people must have been killed ashore during the five hours and a half continued firing, the cavalry and infantry engaged amounting to several hundreds, whilst the armed inhabitants mustered in equal, if not superior numbers. Neither 'Spartan' nor 'Impérieuse' had any killed, and only a few wounded, though, from their proximity to the shore, the rigging of both ships was a good deal cut up, and several shots passed through their hulls. Besides the seamen, we had only fifty marines engaged, thirty from the 'Impérieuse,' and twenty from the 'Spartan.'

On the 11th at 8 P.M. we anchored off the town of Cette, just out of gunshot, the batteries on shore however maintaining a brisk fire, which was consequently thrown away.

At midnight two boats were despatched from the 'Impérieuse' and one from the 'Spartan,' to throw rockets into the town, the batteries continuing their fire in all directions till daylight, but doing no damage.

At 4 A.M. on the 12th we got under weigh, and when within a mile of the shore, between Cette and Montpellier, sent the boats to burn two large pontoons, close to the signal-station, which the 'Impérieuse' had attempted to destroy on the 18th ultimo. One of the pontoons was burned, and the other blown

up without opposition, together with the signal-station and other public buildings which we had not been able to destroy on the former occasion. A number of troops showed themselves, but were contented with firing at a harmless distance. As nothing more remained to be done, we again made sail.

On the morning of the 13th a convoy was discovered in shore. As soon as they saw us, the vessels composing it altered their course, and by 12 o'clock had taken refuge in a deep bay in the vicinity, it being, no doubt, calculated that we should not venture to pass over an extensive shoal, which almost closed up the entrance of the bay. By careful sounding we, however, managed to effect a passage, and three of the smaller vessels perceiving that we should attain our object, passed over the opposite end of the shoal and got away.

About midday it blew a hurricane, and both ships were rapidly driving towards shore, but by letting go another anchor they were brought up. In about a couple of hours, the wind abated, when we weighed and anchored close to the remaining vessels, taking possession of the whole that remained, viz. a ship, two brigs, a bombard, a xebec, and a settee, but all aground. We, however, succeeded in getting off the ship, one brig, the bombard, and settee. The remainder were burned. During these operations a body of French troops lined the beach; we did not, however, attempt to molest them, as it was still blowing so hard that the prizes were with difficulty got off.

On the 16th we despatched some of the prizes to Gibraltar, and the remainder to Rosas. The 'Spartan' now parted company with us to rejoin the Toulon fleet, and the 'Impérieuse' held on her course for Rosas with the prize brig in tow, she having been so much damaged by beating on the shoals before she was captured as to require the greatest exertion to keep her afloat.

On the 18th we came to an anchor off Rosas, and on the 23rd, having patched up our prize, she was sent to Gibraltar in charge of Lieutenant Mapleton.

On the 24th the 'Impérieuse' again sailed for the French coast, and passing Cette, stood into the Gulf of Foz.

In these cruises our greatest difficulty was to procure fresh water, which was only to be obtained on the enemy's coast, so that the men had frequently to be placed on short allowance. As we were now destitute of this necessary, I determined to run for the entrance of the Rhone, and fill up with water by a novel

expedient. Our foretopmast studding-sails were sewn up and converted into huge bags nearly water-tight, these—as the water at the river's mouth was brackish—were sent in the boats higher up the stream where it was pure. The bags being there filled were towed alongside the ship, and the water pumped as quickly as possible into the hold by means of the fire-engine, the operation being repeated till we had obtained a sufficient supply.

Having thus replenished our water, we made an attempt to obtain fresh meat also at the enemy's expense. Whilst engaged in watering, a number of cattle had been observed grazing on the banks of the river, and a party was taken on shore to secure some. But this time circumstances were against us. The low-lands on the banks of the river having been flooded, we found on landing a complete morass; the men nevertheless gave chase to the cattle, but they were so wild, that after a run of three miles, often up to the middle in water, nothing was caught but the herdsman, a poor wretch, who no doubt believing, according to current report in France, that the English killed all their prisoners, began to prepare for death in the most exemplary manner, scarcely crediting the evidence of his senses on being liberated.

In this excursion we had perceived a new telegraph station, about three miles from Foz, the building being complete, with the exception of the machine. We set fire to the building, but the destruction not being fully accomplished, the boats were again sent on shore to blow it up, which was done in the presence of about a hundred troops assembled for its protection. A shot from the ship was so well aimed that it fell right amongst the party, killing one man and wounding several. A few more shots completely dispersed them in such haste as to compel them to relinquish their dead comrade.

On inspecting the abandoned body through a glass, it evidently appeared to be that of an officer, and hence it occurred to me that he might have papers about him which would prove useful. In order to secure them, if there were any, the frigate's barge was again despatched on shore, but before the men could land, a horse was brought from the interior, and the body being laid across him, a shot was fired from the ship over the heads of the party in charge of the horse, which becoming restive, the body was again abandoned. The boat's crew having by this time landed, found it to be that of an officer, as I had conjectured, the poor fellow having been nearly cut in two

by a round shot. As no papers of any consequence were found, our men wrapped him in a sheet which the troops had brought with the horse, and again returned on board.

The 'Impérieuse' continued her course along the coast, and on the 30th, seeing some small vessels at anchor near Boni, the boats were sent to destroy them. This being effected in the face of a detachment of troops and the armed population of a small fishing town, the latter also shared the same fate. Passing close to Boni, we saw several vessels at anchor, and made preparations to attack them, but it coming on to blow hard from the westward, we held on our course towards Marseilles, off which a large polacca-rigged ship passed astern of the 'Impérieuse,' out of gunshot. The boats were lowered, but the wind increasing, they had to be taken on board again, and the polacca got into Marseilles, which was then distant about eight miles.

On the 1st of October we again passed close to Ciotat, but saw nothing to attract our attention. On the 2nd some French ships were discovered at anchor near the land to the westward of Toulon, and several guns were fired at us from four batteries on the coast, but without damage, as we were not within reach of shot.

Seeing a frigate to leeward, we exchanged numbers, and found her to be our former consort the 'Spartan,' which had been engaged in reconnoitring the enemy's port. Shortly afterwards she bore up and made all sail, the French line-of-battle ships quitting port in pursuit. When within about four miles of these we came to the wind, and the 'Spartan' signalled that, since the previous evening, five of the enemy's frigates and a store-ship had sailed from Toulon.

As the 'Spartan' again signalled for us to pass within hail, I went on board, and from the information communicated, bore up in search of the admiral. Not finding him where we expected to fall in with him, we ran with a fair wind for Minorca, arriving off Port Mahon on the 5th.

As there was only a Spanish ship of the line in harbour, we again proceeded in quest of the flag-ship, and soon after midday fell in with her on her way to Minorca. On communicating to Lord Collingwood intelligence of the escape of the five frigates from Toulon, his lordship ordered the 'Impérieuse' to Gibraltar with despatches. We therefore wore ship and made sail for that port, where we arrived without further incident.

For these operations on the coast of France I never received the slightest acknowledgment from the Admiralty, though, re-

gardless of prize-money, I had completely disorganized the telegraphic communication of the enemy, from the seat of war in Catalonia to one of the principal naval arsenals of France; and had created an amount of terrorism on the French coast, which, from inculcating the belief that it was intended to be followed up, prevented the French Government from further attempts at throwing a military force on the Mediterranean coast of Spain. This, as has been said, was my object, as the Spaniards were now in alliance with us. For the panic thus created on the French coast, and its consequences, French writers have given me credit, but the British Government none!

By people of narrow views it has been said that such operations formed no business of mine, and that my zeal exceeded my discretion, which I deny. The commander-in-chief, Lord Collingwood—confiding in my discretion—had sent me to do what I could to assist the Spaniards and annoy the French—and I am proud to say that both objects were effected to his lordship's satisfaction, as will appear from his letters. What damage can I do to the enemy? was my guiding principle, and the excitement of accomplishing the mischief was my only reward,—for I got no other.

To the disgrace of the then corrupt British administration, which withheld not only reward, but praise, because I had connected myself with a radical constituency, and had set up as a reformer of naval abuses, nothing was manifested in return for these services but hatred. I am proud, however, to make known the subjoined testimony of Lord Collingwood, who gave me the credit of paralysing the enemy's operations by the panic which the 'Impérieuse' created on the coast of France; thus neutralising military expeditions intended to act against Catalonia, or, in other words, preventing, by means of a single frigate, the march of an army into the Mediterranean provinces of Spain, where it could at the time have operated with complete effect. Posterity may not believe the effect of these exertions as narrated by myself. To Lord Collingwood they *must* give credit.

“Admiralty Office, Jan. 7th, 1809.

“*Copy of a Letter from Vice-Admiral LORD COLLINGWOOD, Commander-in-Chief of His Majesty's ships and vessels in the Mediterranean, to the Hon. WELLESLEY POLE, dated on board the 'Ocean,' off Toulon, the 19th of October, 1808.*

“SIR,—I enclose a letter which I have just received from the Right Honourable Lord Cochrane, captain of the 'Impérieuse,' stating the services in which he has been employed on the coast of Languedoc.

Nothing can exceed the zeal and activity with which his lordship pursues the enemy. The success which attends his enterprises clearly indicates with what skill and ability they are conducted, besides keeping the coast in constant alarm—causing a general suspension of the trade, and harassing a body of troops employed in opposing him. He has probably prevented *these troops which were intended for Figueras from advancing into Spain, by giving them employment in the defence of their own coasts.*

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"I have the honour to be, &c.

"COLLINGWOOD."

(Enclosure.)

"'Impérieuse,' Gulf of Lyons, 28th Sept. 1808.

"MY LORD,—With varying opposition, but with unvaried success, the newly-constructed semaphoric telegraphs—which are of the utmost consequence to the safety of the numerous convoys that pass along the coast of France—at Bourdique, La Pinede, St. Maguire, Frontignan, Canet, and Fay, have been blown up and completely demolished, together with their telegraph houses, fourteen barracks of *gens d'armes*, one battery, and the strong tower on the lake of Frontignan.

"Mr. Mapleton, first lieutenant, had command of these expeditions. Lieutenant Johnson had charge of the field-pieces, and Lieutenant Hoare of the Royal Marines. To them, and to Mr. Gilbert, assistant-surgeon, Mr. Burney, gunner, Messrs. Houston Stewart* and Stoven, midshipmen, is due whatever credit may arise from such mischief, and for having, with so small a force, drawn about 2000 troops from the important fortress of Figueras in Spain for the defence of their own coasts.

"The conduct of Lieutenants Mapleton, Johnson, and Hoare, deserves my praise, as well as that of the other officers, Royal Marines, and seamen.

"I have the honour to be, my lord,

"Your obedient servant, &c.

"COCHRANE.

"Vice-Admiral Lord Collingwood."

"'Impérieuse'—None killed, none wounded, one singed in blowing up the battery.

"*French*—One commanding officer of troops killed. How many others unknown."

* The present gallant Admiral Sir Houston Stewart, commanding Her Britannic Majesty's squadron on the North American station.

CHAPTER XVII.

CRUISE OF THE IMPÉRIEUSE CONTINUED.

Capture of a settee.—Get under sail.—Fight between the patriots and French.—Make sail for Rosas.—Fort Trinidad.—Gallantry of Captain West.—Bravery of the Catalan.—Repulse of the French.—Attack of the 'Impérieuse.'—The French redouble their efforts.—Occupation of Catalonia.—The Castle of Trinidad.—Nature of our position.—Nature of our operations.—Manufacture of a man-trap.—Lose my nose.—The French assault Rosas.—Practice of the French.—Presentiment.—The French attack.—The attack repulsed.—Bravery of a French soldier.—Heavy gale of wind.—Unfortunate accident.—Evacuate the fortress.—Stand towards La Escala.—Letter from Lord Collingwood.—Despatch to Lord Collingwood.—Letter to the Admiralty.—Testimony of the Spaniards.—Sir Walter Scott.—Official gratitude.

ON the 19th of October we again quitted Gibraltar for the eastward, having learned that the French frigates which had succeeded in getting out of Toulon were at anchor in St. Fiorenzo bay, in the island of Corsica. After leaving Gibraltar, we stood over towards the Spanish possessions on the Barbary coast, and finding everything right there, passed on to the Zaffarine Islands, inside of which we anchored for the purpose of painting and refitting the ship, which stood much in need of renovation.

This being accomplished, we again sailed on the 29th, and on the 31st arrived in the harbour of Carthage, where we found the Russian ambassador to Austria on his way to Trieste. No English man-of-war having been here since our former visit, we were received with great hospitality and attention by the authorities and inhabitants, who unanimously expressed their delight at being at peace with England; though, as a Spanish fleet lay dismantled in the harbour, it struck me that they might aid England to better purpose by looking after the enemy. Even their convoys had to be protected by English ships, for whilst we lay at Carthage, the 'Myrtle' arrived from Tarragona, with twelve sail of transports which she had convoyed thither with Spanish troops from Lisbon, and again returned for more.

The 'Impérieuse' left Carthage on the 10th of November, and rounding Cape Palos, passed between Majorca and the mainland, where, on the 11th, we captured a settee. On the 12th we anchored off Barcelona, which place was still in possession of the French. The 'Cambrian' was at anchor in the roads.

At night we sent the boats of the 'Impérieuse' to throw rockets into the fort, and at daylight on the following morning got under weigh, but perceiving two boats full of men in chase of some Spanish settees, we lowered ours, and pulled for the boats, which on seeing our intention, abandoned their prey, and ran in under the forts for protection.

On our arrival at Barcelona the 'Cambrian' went out for a run, leaving the 'Impérieuse' to watch the enemy. On her return we again out boats, and proceeded to blow up a fort close to the entrance of Llogrebat river, and succeeded in so far shattering its foundations as to render it useless. On the 14th the 'Impérieuse' anchored near the mouth of this river for the purpose of watering, sending at the same time a boat to throw rockets into the barracks, in order to divert the attention of the Barcelona garrison.

Having completed watering on the 15th, we again got under sail, and resumed our position before the town, shortly after which we observed about 2000 of the French army march out and ascend the hills, where they soon became engaged with a large body of Spanish peasantry. The ships followed, keeping as far as practicable in shore; but still at too great a distance to render any material assistance to the patriots, who were at last forced from their position. As soon as this action was over, the batteries commenced firing shells at us. In place of replying to this, both ships opened a heavy fire on the portion of the town occupied by French troops, amongst whom, as we afterwards learned from the Spaniards, our shot told with great effect.

Irritated by this unexpected movement, the whole of the batteries ashore began to ply us with shot and shell, the latter of which were thrown with excellent precision as regarded their direction, but fell either over or short of us, two only bursting near the 'Impérieuse,' but without doing us any harm. The 'Cambrian,' lying a little farther out, escaped with similar impunity. With round shot the batteries were in our case more lucky, one of these passing through the barge and galley, and another striking the muzzle of a brass 32-pounder on the fore-castle, in such a way as to render it useless, though without injury to the men who were at the time working the guns.

The circumstances under which the destruction of this gun was effected are too curious to be passed over.

By an extraordinary coincidence the enemy's shot entered the muzzle at the moment our men were firing it, so that the two

shots met in the bore ! The consequence was, that the gun was blown up nearly in the middle, the exterior being forced into a globular form—to our great annoyance, for this gun was one of our most useful weapons.

On the 17th another action took place between the mountaineers and a French force on the hills, the object of the patriots being to get possession of the heights, where the French had established a battery, but which on every side annoyed the *cordon* of irregular troops employed in intercepting provisions, from which the Spaniards could not dislodge them, though they appeared to make their attacks with so much judgment and vigour as to compel the enemy to remain on the defensive. In the present case the attack was unsuccessful, the patriots being compelled to retire without accomplishing their object.

After this affair was concluded, several Spanish officers came on board the 'Impérieuse,' and spoke confidently of being able to drive in the French advanced force as soon as General Reding's force joined. They informed me that the presence of the 'Impérieuse' and 'Cambrian' had been of great use, by compelling the French to keep a considerable portion of their troops in the town, and to employ others in manning the coast batteries, so that few were available for operations elsewhere ; but beyond this we had no opportunity of assisting the patriots, as the heights to which the enemy clung so tenaciously were beyond the reach of shot or shell from the ships.

On the 19th I received information of the French having invested Rosas, and knowing that Lord Collingwood attached considerable importance to this place, I considered it my duty, in accordance with his lordship's instructions, to proceed in that direction, hoping that the 'Impérieuse' might there render substantial service ; we therefore left the 'Cambrian' before Barcelona, and made sail for Rosas, where we arrived on the following day. As it fell calm, the ship was compelled to anchor ten miles from the fortress.

On our arrival a heavy cannonade was going on between the ships and a French battery thrown up on the cliff above Fort Trinidad. The 'Impérieuse,' as has been said, being out of range, I took the gig and landed in the town, to ascertain how we might best employ ourselves. Having satisfied myself on this point, I sent back the gig with orders for the frigate to make every effort to get within range of the French troops sur-

rounding the town, so as to enfilade them. As the calm continued, she was, however, unable to approach till the following day, I meanwhile remaining in Rosas, to encourage the Spanish troops, whose spirit was beginning to give way.

Previous to our arrival the marines of the 'Excellent,' together with some Spanish troops, had occupied the citadel. Many of these having been wounded, the 'Excellent' took upwards of forty on board and sailed, leaving the 'Fame' to watch the place, and her commander withdrew some thirty marines, who, with sixty or seventy Spaniards, occupied Fort Trinidad. The departure of the 'Excellent' in the first place, and the withdrawal of the marines in the second, greatly dispirited the Spaniards, who on the evening of the 21st began to quit the town in boats.

A brief outline of what had occurred previous to my arrival in the 'Impérieuse' will here be requisite, in order to comprehend the events which followed. On the 6th of November a body of 6000 French, or rather Italians, coming from Figueras, had taken possession of the town and the heights commanding the roads. The inhabitants forthwith fled; but the 'Excellent' and 'Meteor,' then lying in the harbour, speedily drove out the invaders.

On the assault of the town some of the inhabitants had fled to the citadel, which was in a wretched condition, one of its bastions having been blown down during the last war; and such had been the negligence of the Spanish military authorities, that it had received no better repair than a few planks and loose stones; whilst the stores were even in a more wretched condition than the works. It was, however, necessary to put it, as far as possible, in a defensible condition, and to this Captain West, of the 'Excellent,' energetically applied himself.

To the eastward of the town, on an eminence commanding the harbour, stood Fort Trinidad, of which a description will presently be given. In this fortress Captain West placed five-and-twenty of the 'Excellent's' marines, in addition to the Spaniards who manned the fort; and, at the same time, sent fifty seamen into the citadel to support the garrison.

The Spanish governor, O'Daly, now sent a request to the Junta of Gerona for reinforcements; but the French, managing to intercept his despatches, caused it to be reported to the Junta that the English had taken forcible possession of the fortress, and deposed the governor; whereupon, in place of

sending reinforcements, the Junta wrote to Captain West, demanding an explanation of conduct so extraordinary, and, till this explanation revealed the trick, it remained undiscovered.

On the 9th the citadel was attacked by General Reille, and a breach effected; but Captain West, placing the 'Meteor' in a position to flank the breach, and sending some boats to enfilade the shore, prevented the assault, and despatching more seamen to the citadel, the next day it was again in a tolerably defensive state, so much so that Captain West had sallied out with the seamen and effected the rescue of a party of Catalonian militia.

The French commander, thus foiled by the gallantry and judgment of Captain West, now deemed it necessary to proceed against Rosas by regular siege, but first made an attempt to storm Fort Trinidad, in which he was repulsed with considerable loss; but the fort was so much in danger that, in order to prevent surprise, Captain West reinforced it with thirty additional marines, who entered by means of rope ladders.

The French now, despite opposition from the ships, began to erect batteries on the heights for the demolition of Fort Trinidad, and threw up an intrenchment 300 yards from the citadel, for the purpose of breaching that also. A 3-gun battery opened against the town walls, and the joint effect of these being occasionally directed against the ships, compelled them to retire out of range.

Captain West was now superseded by Captain Bennett of the 'Fame,' and, as a breach had nearly been effected in the lower bomb-proof of Fort Trinidad, Captain Bennett withdrew the marines. At this juncture I arrived at Rosas in the 'Impérieuse,' having, indeed, come there to render what assistance I could to the Spaniards, and, knowing the endurance, as well as indomitable bravery of the Catalan or *Michelet** character; feeling, moreover, assured that the Junta of Gerona would supply early assistance, I determined to replace the marines which Captain Bennett had withdrawn with others from my own frigate. As it was generally known amongst vessels on

* A name given at this period to the irregular Catalonian troops, as well as to other Spaniards embodied with them, from one of their old leaders, Michelot de Prato, the companion of Cæsar Borgia, and the principal agent in many of his atrocities. In the old wars of Arragon, they were called Almogavares, and at the period of which I write had lost little of their traditional daring, or that ready ingenuity in difficulties, which supplied the want of a more efficient warlike equipment.

the Mediterranean station that I was acting under discretionary orders from Lord Collingwood, Captain Bennett, though he had withdrawn his own men, and notwithstanding that he was my senior officer, did not attempt to thwart my resolution, probably because he considered that by so doing he might be interfering with the instructions given me by Lord Collingwood.

On the 22nd, after having given further instructions on board the 'Impérieuse' for annoying the enemy during my absence, I again went on shore to the citadel, into which the French were incessantly throwing shells, but without much effect; for although every shell fell within the place, the shelter was excellent, and no great damage was done.

W. Norton
Having ascertained the position of the enemy's intrenchments, I returned on board, and despatched a party from the frigate to fire upon them at the distance of about 600 yards, as well as to harass the batteries in course of construction. The work was so well performed by our men as to embarrass the troops in the batteries, and thus lessen their fire on the citadel, the preservation of which, till further assistance should arrive, was my principal object. A battery of 24-pounders on the top of a cliff, and therefore inaccessible to our fire, kept up, however, an unremitting fire on Fort Trinidad, every shot striking; but the fort being bomb-proof, without injury to the little garrison, which, like that of the citadel, was well sheltered, but had no means of returning the fire except occasionally by musketry.

After pounding away at the fort for several days, the French made up their minds to storm, but on coming within range of musket-shot, they got such a reception from the garrison as to render a hasty retreat imperative. As their discomfiture was visible from the ship, we fired a salute of twenty-one guns by way of sarcastic compliment, but the enemy had not the politeness to return the courtesy.

The 'Impérieuse' now got under weigh, and cleared for action, taking up a position to the left of the citadel, and within musket-shot of the French lines, into which we poured such a storm of shot as to drive out the enemy. Satisfied with the success, I went on shore at Rosas, and got 700 Spaniards to embark in the boats, afterwards putting them on board a light vessel, with the intention of landing them at the back of Fort Trinidad, so as to dislodge the troops from the battery on the cliff, and throw the guns over. The movement was, however,

detected by the French commander, and a force which had just been engaged at a distance was hastily recalled, and rushed on, driving the Spaniards and some Germans before them. Manning the batteries, the French instantly turned their attention to the 'Impérieuse,' against which they directed such a well-aimed shower of shells as rendered it imperative to get under sail and anchor out of range.

The firing between the batteries and the citadel was kept up during the night without intermission, and at daylight the Spaniards we had landed for the attack on the cliff battery appeared in such confusion, that it became necessary to despatch the boats to bring off a party of marines, who had been put on shore with them. Our men reported that the Spaniards had unaccountably refused to follow them to the attack, and, as is usual in such cases, had suffered far more severely than they would have done had they persevered in the attempt to capture the battery. On sending boats to bring off the Spaniards we only got 300 out of the 700, the remainder being either killed or made prisoners.

On the 23rd we again ran in under Fort Trinidad, but this time on the opposite side to the battery on the cliff, where we could effect considerable mischief, without receiving much in return. It now fell dead calm, so that it was lucky we had not taken up our former position, where we might have been terribly annoyed.

The French, without paying much attention to us, now appeared to redouble their efforts against both castle and citadel, whilst their troops mustered strongly on the hills, with the evident intention of an attack on both, the moment a breach became practicable.

Finding this to be the case, the 'Fame' withdrew her marines from Fort Trinidad, upon which I went ashore, and after careful inspection of the breach in course of formation, considering it still capable of prolonged defence, begged the commandant to hold out till next day, when he should be reinforced with marines from the 'Impérieuse,' promising at the same time to remain myself in the fortress with the men. With some difficulty he was induced to consent to this arrangement, after telling me that it had been his intention to capitulate on the same evening.

Nor was the Spanish governor at all to blame for his intention to surrender the fortress. Captain Bennett had withdrawn

his men, thinking, no doubt, that it was untenable, and that therefore nothing was to be gained by their exposure ; so that the Spanish governor might fairly plead that further resistance had been deemed unavailing by the English themselves.

Lord Collingwood had, however, entrusted me with discretionary orders to assist the Spaniards, and it appeared to me that the present was an instance where those orders might be carried into effect, for I had no doubt, if assistance arrived promptly, that the French would be compelled to raise the siege of Rosas, as they had done that of Gerona. In which case they would find themselves isolated at Barcelona ; and being cut off, as they already were by land, and exposed to bombardment by sea, must surrender. The occupation of Catalonia, in short, turned on two points ; 1st, whether the Junta of Gerona supplied an adequate reinforcement ; and, 2ndly, whether I could hold Fort Trinidad till it arrived. Neither do I blame Captain Bennett for withdrawing his men. It was simply matter of opinion ; his being that neither fort nor citadel would long hold out—mine, formed on actual inspection of the fort, that it was still in a condition to maintain itself, and being so, that its retention was essential for the preservation of the town and citadel. And had there been a little more alacrity on the part of the Gerona Junta in supplying reinforcements, that opinion would have been justified. Captain Bennett perhaps knew the dilatory habits of the Spaniards better than I did ; but although my senior officer, he was disinterested enough not in any way to interfere with my plans.

Before daylight on the 24th we landed fifty men, ordering all the marines to follow after sunset. Our first object was to effect such repairs as would put the fort in a better state of defence, and this was accomplished without any great difficulty, as the French were confining their attention to one particular spot, where, by a constant succession of quick firing, they hoped to make a practicable breach. This we could not prevent, having no artillery to reply to theirs.

My principal ground for a belief in the practicability of holding the fort arose from the peculiar form and thickness of the walls, to penetrate which was no easy matter, if resolutely defended. Even if eventually successful, it would not be difficult to evacuate the fort by the lower portion, before the enemy could establish themselves in the upper, whilst a well-con-

structed mine would involve both them and the castle in one common ruin.

The Castle of Trinidad stood on the side of a hill, having by no means a difficult descent to the sea, but this hill was again commanded by a higher and more precipitous cliff, which would have enabled an enemy to drive out the occupants with ease, but for the peculiar construction of the fortress.

Next to the sea was a fort constructed with strong walls some 50 feet high. Behind this, and joined to it, rose another fort to the height of 30 or 40 feet more, and behind this again was a tower rising some 20 or 30 feet still higher, the whole presenting the appearance of a large church with a tower 110 feet high, a nave 90 feet high, and a chancel 50 feet. The tower, having its back to the cliff, as a matter of course sheltered the middle and lower portions of the fortress from a fire of the battery above it. Nothing, in short, for a fortress commanded by adjacent heights could have been better adapted for holding out against offensive operations, or worse adapted for replying to them; this on our part being out of the question, as the French battery was too much elevated on the cliff for artillery to reach, whilst the tower which prevented their shot from annoying us, would also have prevented our firing at them, even had we possessed artillery.

It was to this tower therefore that the French chiefly directed their attention, as a practicable breach therein, followed by a successful assault, would in their estimation place the fortress at their mercy, so that we must either be driven out or forced to surrender. In consequence of the elevated position of the enemy's battery on the cliff, they could however only breach the central portion of the tower, the lowest part of the breach being nearly sixty feet above its base, so that, when practicable, it could only be reached by long scaling ladders.

A pretty correct idea of our relative positions may be formed if the unnautical reader will imagine our small force to be placed in the nave of Westminster Abbey, with the enemy attacking the great western tower from the summit of a cliff 100 feet higher than the tower, so that the breach in course of formation nearly corresponded to the great west window of the abbey. It will hence be clear that, in the face of a determined opposition, it would be no easy matter to scale the external wall of the tower up to the great west window, and more diffi-

cult still to overcome impediments presently to be mentioned, so as to get down into the body of the church. These were the points I had to provide against, for we could neither prevent the French from breaching nor storming.

It so happened, that just at the spot where the breach was in process of formation, there was a lofty bomb-proof interior arch, upwards of fifty feet in height. This arch, reaching from the lower part of the breach to the interior base of the tower, was without much difficulty converted into an obstacle, of which the French little dreamed; viz. into a chasm, down which they must have plunged headlong had they attempted to penetrate an inch beyond the outer wall, even after they had gained it.

The only operation necessary was to break in the crown of the arch, so that all who on an assault ventured on penetrating farther than the outer wall of the breach, must of necessity be hurled to the bottom. But as the fall of a portion of the enemy might not deter the rest from holding possession of the outer wall till they were provided with the means of overcoming the obstacle, I got together all the timber at hand, and constructed a huge wooden case, exactly resembling the hopper of a mill—the upper part being kept well greased with cooks' slush from the '*Impérieuse*,' so that to retain a hold upon it was impossible. Down this, with the slightest pressure from behind, the storming party must have fallen to a depth of fifty feet, and all they could have done, if not killed, would have been to remain prisoners at the bottom of the bomb-proof.

The mantrap being thus completed,—and to do the Spaniards justice, they entered with ardour into the work,—the next object was to prepare trains for the explosion of the magazines, in case evacuation of the fort became compulsory. This was done in two places; the first deposit of powder being placed underneath the breach, with the portfire so arranged as to go off in about ten minutes; the other beneath the remaining part of the fortress, with a portfire calculated to burn until we ourselves were safe on board the frigate.

The French were highly exasperated on finding that the castle had been reinforced from the '*Impérieuse*,' of which ship they had by this time not a few unpleasant reminiscences; they therefore adopted additional measures to put a stop to our co-operation.

In addition to the previously mentioned battery, another was

erected on the cliff commanding the fortress; and on the 25th, upwards of 300 shots were directed at the tower, the result being a hole, which speedily widened into a tolerable breach. Our men were now engaged in blocking it up as fast as it was made, and working as they did under cover, no loss was sustained, though every shot brought down large masses of stone within the fortress; the French thus supplying us with materials for repair, though rendering a sharp look-out against splinters necessary.

On this day I received a wound, which caused me intolerable agony. Being anxious, during an ominous pause, to see what the enemy were about, I incautiously looked round an angle of the tower towards the battery overhead, and was struck by a stone splinter in the face; the splinter flattening my nose and then penetrating my mouth. By the skill of our excellent doctor, Mr. Guthrie, my nose was after a time rendered serviceable.

Whilst the enemy were breaching the tower, the boats of the 'Impérieuse' inflicted on them such severe chastisement, that detachments of infantry were stationed on the hills to drive off the boats with musketry; but our people managed to keep out of harm's way, whilst directing a destructive fire upon the nearer portion of our opponents.

On the 26th the French renewed their fire; but as during the previous night we had filled up the breach with loose rubble, their progress was by no means rapid, the rubble forming almost as great an obstacle as did the wall itself. It was, however, evident that the breach must sooner or later become practicable, so that we turned our attention to the erection of interior barricades, in case of a sudden attempt to storm. In addition to these barricades festoons of top chains were brought from the ship, and suspended over the hopper and elsewhere; the chains being moreover armed with large fish-hooks, so securely fastened, that there was little danger of those who were caught getting away before they were shot.

The barricades constituted what may be termed a rampart within the breach, constructed of palisades, barrels, bags of earth, &c., these supplying the place of walls, whilst the descent from the crown of the bomb-proof to the bottom constituted a formidable substitute for a ditch.

We got to-day a trifling though welcome reinforcement of sixty regular Spanish, or rather Irish, troops in the Spanish ser-

vice, and sent an equal number of peasants to Rosas; for though these men were brave, as are all Catalans, and ready enough, yet their want of military skill rendered them ill adapted to the work in hand. As soon as the Irish comprehended our means of defence, and the reception prepared for the enemy, their delight at the prospective mischief was highly characteristic, and could not have been exceeded had they been preparing for a "scrimmage" in their native country.

At midnight the French made a general assault on the town of Rosas, and after several hours' hard fighting obtained possession. The 'Impérieuse' and 'Fame' now approached, and commenced a fire which must have caused great loss to the besiegers, but which failed to dispossess them. Towards morning—when too late—a detachment of 2000 Spanish troops arrived from Gerona! Six hours earlier would have saved the town, the preservation of which was the only object in retaining the fortress.

The practice of the French when breaching the walls of Rosas was beautiful. So skilfully was their artillery conducted, that, to use a schoolboy similitude, every discharge "ruled a straight line" along the lower part of the walls; this being repeated till the upper portion was without support, as a matter of course, the whole fell in the ditch, forming a breach of easy ascent. This operation constituted an object of great interest to us in the fortress, from which the whole proceedings were clearly visible.

Having secured the town, the French redoubled their efforts against the castle, and had they continued with the same vigour, we must have been driven out. Two of our marines were killed by shot, as was a third by a stone splinter, so that with all my desire to hold out, I began to doubt the propriety of sacrificing men to the preservation of a place which could not be long tenable.

The French being also heartily tired of the loss they were sustaining from the fire of the ships and boats, sent us a flag of truce, with the offer of honourable capitulation. This being declined on our part, the firing recommenced more heavily than before.

On the 28th the fire of the enemy slackened, their troops being engaged in throwing up intrenchments and constructing batteries in the town, a second detachment of Spanish troops being on its way now that the place had fallen. Soon after midday they

sent a small party with another flag of truce. As it was, however, evident that their object was this time to spy out the state of our defences, we threw some hand grenades towards them, to show that we would not hold any parley, on which they retired, and the firing was again renewed.

On the 29th the French opened upon the castle from five different batteries on the hills, but without damage to life, as our men were now kept close. The ships and bombs, however, directed upon them a destructive fire with shot and shell, which considerably damped their ardour. To-day all access to the citadel was cut off, the French having succeeded in erecting batteries on both sides the sea gates, so that all communication with the boats was rendered impossible.

The dawn of the 30th might have been our last, but from the interposition of what some persons may call presentiment. Long before daylight I was awoke with an impression that the enemy were in possession of the castle, though the stillness which prevailed showed this to be a delusion. Still I could not recompose myself to sleep, and after lying for some time tossing about, I left my couch and hastily went on the esplanade of the fortress. All was perfectly still, and I felt half ashamed of having given way to such fancies.

A loaded mortar, however, stood before me, pointed, during the day, in such a direction that the shell should fall on the path over the hill which the French must necessarily take whenever they might make an attempt to storm. Without other object than that of diverting my mind from the unpleasant feeling which had taken possession of it, I fired the mortar. Before the echo had died away, a volley of musketry from the advancing column of the enemy showed that the shell had fallen amongst them just as they were on the point of storming.

Rushing on, their bullets pattered like hail on the walls of the fort. To man these was the work of a moment; for, as may be supposed, our fellows did not wait for another summons, and the first things barely discernible amidst the darkness were the French scaling ladders ready to be placed at the foot of the breach, with an attendant body of troops waiting to ascend, but hesitating, as though the unexpected shell from our mortar rendered them uncertain as to our preparations for defence. To the purposeless discharge of that piece of ordnance we owed our safety, for otherwise they would have been upon us before we even suspected their presence; and so exasperated were

they at our obstinate defence, that very little attention would have been paid to any demand for quarter. The French deserved great credit for a silence in their movements which had not even attracted the attention of the sentries on the tower.

Whilst the enemy were hesitating, we became better prepared, our men being ready at every point which commanded the breach. It was not in the nature of the French to slink off on being detected. In a few minutes on they came up the ladders, to the certainty of getting either into the mantrap, or of being hurled from the walls as fast as they came up, retreat being for a short time impossible, on account of the pressure from behind. There was now just light enough for them to see the chasm before them, and the wall was crowded with hesitating men. About forty had gained the summit of the breach, all of whom were swept off with our fire; whilst a crowd was waiting below for the chance of sharing the same fate. Giving them no time for deliberation, several shells which had been suspended by ropes half-way down the wall, were ignited, our hand grenades were got to work, and these, together with the musketry, told fearfully on the mass—which wavered for a few moments, and then retreated amidst the loud huzzas of our fellows. The French, however, gallantly carried off their wounded, though they were compelled to leave their dead, who, till the following morning, lay in a heap close to the foot of the tower.

Scarcely had we got rid of our assailants, when a numerous body of troops came down from the hills with muskets firing and drums beating, nothing doubting that their comrades were in possession of the fortress. Our lads, having their hands now free, returned their fire with excellent effect, dropping some at every discharge; when at length, finding that the assault had failed, and that we were able to offer effectual resistance, the detachment retreated up the hills as fast as they could, amidst the derisive cheering of our men.

The force which formed the storming party, consisted, as we afterwards learned from our prisoners, of one company of grenadiers, two of carabineers, and four of the voltigeurs of the 1st Light regiment of Italy, in all about 1200 men. They were gallantly led, two of the officers attracting my especial attention. The first was dropped by a shot, which precipitated him from the walls, but whether he was killed or only wounded, I do not

know, probably wounded only, as his body was not seen by us amongst the dead. The other was the last man to quit the walls, and before he could do so, I had covered him with my musket. Finding escape impossible, he stood like a hero to receive the bullet, without condescending to lower his sword in token of surrender. I never saw a braver or a prouder man. Lowering my musket, I paid him the compliment of remarking, that so fine a fellow was not born to be shot down like a dog, and that, so far as I was concerned, he was at liberty to make the best of his way down the ladder; upon which intimation he bowed as politely as though on parade, and retired just as leisurely.

In this affair we had only three men killed—one of the marines and two Spaniards, another Spaniard being shot through the thigh and the Spanish governor of the fortress through the hand; there were, however, a few minor casualties. The total loss of the enemy, judging from the dead left behind—upwards of fifty—must have been severe. My determination not to quit the fortress was therefore increased, as there was every reason to be satisfied with the efficacy of my hopper trap and fish-hook chains. In short, it was impossible for any one to get over the one or through the other. Not a Frenchman had advanced beyond the outer wall.

After this the enemy did not molest us much, except with musketry, which did no damage, as our men were well under cover. They, however, turned their attention to the citadel, the Spanish garrison replying smartly to their fire. The Spaniards with us in the castle likewise behaved with great gallantry, as did the soldiers of the Irish brigades in the Spanish service, by whom the peasants before mentioned had been supplanted. Had the latter remained, the repulse of our assailants might have been more difficult, though equally certain.

On the 1st of December we passed a tolerably quiet day, the French being engaged in erecting a new battery, to annoy our boats when coming on shore, with which they appeared to content themselves.

The 2nd passed over in the same quiet way.

On the 3rd the troops in the citadel made a sortie, apparently in the hope of dislodging the French from their intrenchments, and an obstinate engagement ensued, with considerable loss on both sides. By the time this was over, our friends on the hill

had nearly completed another new battery, and were trying its effect on us somewhat unpleasantly, every shot knocking down great quantities of stone. A still more unpleasant circumstance was, that a heavy gale of wind had arisen, before which the 'Impérieuse' was visibly dragging her anchors, and might be compelled to go to sea, leaving us to defend ourselves till her return.

On the 4th, the French opened all their batteries on the citadel, eleven of their guns being brought to bear upon the old breach elsewhere mentioned as never having been properly repaired. At this point an immense number of shot and shell were directed, and towards night a breach was nearly practicable. This operation against the citadel seeming decisive, the new battery on the hill began upon us in the castle with redoubled vengeance, and every shot told with effect; the object no doubt being to storm both fortresses simultaneously on the following day.

An unfortunate accident occurred in the castle to-day. Five of our men were loading a gun, intended for employment against a body of French troops, who were throwing up an intrenchment below us, with the evident object of cutting us off from retreat or communication with the frigate; by some mischance the gun exploded, blowing off the arms of a marine, who died soon after, and knocking a seaman over the castle wall, a depth of fifty feet. The poor fellow was taken up by the boat's crew, and carried on board in a dreadfully shattered condition.

At daylight on the 5th, the French again opened their batteries on the citadel, and by 8 A.M. the breach was quite practicable. A large body of troops had assembled for the assault, but the firing suddenly ceased on both sides, and from the number of men lounging about the breach, it was clear that a capitulation was in progress. Under these circumstances it became my duty not to sacrifice our marines and seamen to the mere excitement of fighting a whole army which could now pay us undivided attention. We therefore began to think of taking our departure; and getting our baggage collected, we made signals to the 'Impérieuse' for all boats to be in readiness to take us off if the garrison in the citadel should capitulate. The battery, however, continued firing upon us as usual, and with decisive effect on the tower. Without taking any notice of this, we laid trains ready for blowing up the fort.

Soon after our signals were made. *Allez* 'Fame' and 'Magnifi-

cent'—the latter of which had recently come into the anchorage—got under weigh and beat towards the landing-place. Our signals having been also understood by the French, the batteries overhead ceased firing, and a number of troops approached to take possession. At 11 A.M we made the signal for the boats—the 'Impérieuse' attending them close in shore.

We now commenced evacuating the fortress, sending down the troops of the Bourbon regiment first; the Irish brigade next, and our marines and seamen last. On the boats pulling in, the ships opened fire with shot and shell upon the French. We did not, however, receive any molestation from the latter, whilst our men went down the rope ladders out of the fort, and by one o'clock all were out of the castle except the gunner and myself, we having remained to light the portfires attached to the trains.

After this we got into the boats also unopposed, but the moment they pulled off from the shore the French opened upon us with musketry and round shot, fortunately without injury to any one. A stiff breeze now blowing, enabled the 'Impérieuse' to get close in, so that we were soon on board.

The French having become practically acquainted with some of our devices were on their guard, and did not take possession of the castle immediately on our quitting it, and it was lucky for them that they did not, for shortly after we got on board the first explosion took place, blowing up the portion of the fortress which they had been breaching; but the second train failed, owing, no doubt, to the first shock disarranging the port-fire. Had not this been the case, scarcely one stone of the castle would have remained on the other.

In the evening I directed the 'Impérieuse' to get under weigh and stand towards La Escala, where we landed the Spanish troops. On the following morning the 'Fame' parted company for Lord Collingwood's fleet; and leaving the 'Magnificent' at anchor with the bombs, we stood towards San Felin, having the mortification of seeing the French flag flying over what remained of the Castle of Trinidad, which we had so pertinaciously endeavoured to defend, and failing in this, should have wholly destroyed but for the accident of the second port-fire becoming out of order.

In the defence of this fortress, we lost only three killed and seven wounded; the loss of the Spaniards amounting to two killed and five wounded. Next to the thorough accomplishment

of the work in hand my care was for the lives of the men. Indeed, it is matter of congratulation to me that no commander having gone through such service ever had fewer men killed. Lord St. Vincent on a former occasion gave this as a reason for not promoting my officers, but even a rebuff so unworthy failed to induce me to depart from my system of taking care of the men, the death of one of whom would have affected me more than the death of a hundred enemies, because it would, in my estimation, have been attributable to my own want of foresight.

The destruction of the French must have been very great. We who were cooped up in the fortress had only one collision with them, but in that they suffered fearfully, whilst we escaped scot free. But the fire of the ships must have told upon them to a great extent.

The subjoined letters from Lord Collingwood to the Secretary of the Admiralty constitute the only commendations I received for the services detailed in the preceding chapters.

Extract of a letter from VICE-ADMIRAL LORD COLLINGWOOD to the HON. W. W. POLE, dated on board the 'Ocean,' Dec. 14, 1808.

"My letter of the 1st instant would inform you of the enemy having laid siege to the castle of Rosas, and of the measures taken by the British ships in that Bay in aid of the Spaniards for its defence. The 'Scout' joined the squadron off Toulon on the 7th, and by her I received further accounts from Captain Bennett, of the 'Fame,' of the progress the enemy was making against that important fortress.

"Captain Lord Cochrane has maintained himself in the possession of Trinity castle with great ability and heroism. Although the fort is laid open by the breach in its works, he has sustained and repelled several assaults, having formed a sort of rampart within the breach with his ship's hammock cloths, awnings, &c., filled with sand and rubbish. *The zeal and energy with which he has maintained that fortress excites the highest admiration. His resources for every exigency have no end.* The Spanish governor of the castle is wounded and on board the 'Meteor.'

"COLLINGWOOD."

This expression of opinion on the part of Lord Collingwood should have procured me some commendation from the naval authorities at home; the more so as it was spontaneous on his lordship's part, no official despatch from me on the subject having at that time reached him. I was, however, a black sheep at the Admiralty, and, had it been my good fortune to have been instrumental in raising the siege of Rosas, the only care taken by the Tory government at home would, in all probability, have been how to conceal a knowledge of the fact from the

public. After the evacuation and destruction of the fortress I addressed to Lord Collingwood the subjoined despatch.

“H. M. Ship ‘Imperieuse,’ Bay of Rosas,
“5th December, 1808.

“MY LORD,—The fortress of Rosas being attacked by an army of Italians in the service of France (in pursuance of discretionary orders which your lordship gave me, to assist the Spaniards whenever it could be done with most effect), I hastened here. The citadel on the 22nd instant was already half invested, and the enemy was making his approaches towards the south-west bastion, which your lordship knows was blown down last war by the explosion of a magazine and tumbled into the ditch; a few thin planks and dry stones had been put up by the Spanish engineers, perhaps to hide the defect; all things were in the most deplorable state without and within; even measures for their powder and saws for their fuses were not to be had, and mats and axes supplied their place. The castle of Trinity, situated on an eminence, but commanded by heights, was also invested. Three 24-pounders battered in breach, to which a fourth was afterwards added, and a passage through the wall to the lower boom-proof being nearly effected on the 23rd, the marines of the ‘Fame’ were withdrawn. I went to examine the state of the castle, and, as the senior officer in the bay had not officially altered the orders I received from your lordship, I thought this a good opportunity, by occupying a post on which the acknowledged safety of the citadel depended, to render them an effectual service. The remaining garrison consisted of about eighty Spaniards, who were on the point of surrendering; accordingly, I threw myself into the fort with fifty seamen and thirty marines of the ‘Imperieuse.’ The arrangements I made need not be detailed to your lordship; suffice it to say, that about a thousand bags (made of old sails, besides barrels and palisades, supplied the place of walls and ditches, and that the enemy, who assaulted the castle on the 30th with full 1000 picked men, were repulsed with the loss of their commanding officer, storming equipage, and all who had attempted to mount the breach. The Spanish garrison having been changed gave good assistance. As to the officers, seamen, and marines of the ship, the fatigues they underwent, and the gallant manner in which they behaved, deserve every praise. I must, however, particularly mention Lieutenant Johnson, of the navy, Lieutenant Hoare, of the marines, Mr. Burney, the gunner, Mr. Lodowick, the carpenter, and Messrs. Stewart, Sloven, and Marryat, midshipmen.

“Captain Hall, of the ‘Lucifer,’ at all times and in every way gave his zealous assistance. I feel also indebted to Captain Collins, of the ‘Meteor,’ for his aid.

“The citadel of Rosas capitulated at twelve o’clock this day. Seeing, my lord, farther resistance in the castle of Trinity useless, and impracticable against the whole army, the attention of which had naturally turned to its reduction; after firing the trains for exploding the magazines, we embarked in the boats of the ‘Magnificent,’ ‘Imperieuse,’ and ‘Fame.’

“I have the honour to be, &c.

(Signed) “COCHRANE.

“The Right Hon. Lord Collingwood.”

LORD COLLINGWOOD'S *Letter to the Admiralty*.

"H. M. Ship 'Ocean,' Jan. 7, 1809.

"SIR,—The 'Impérieuse' having with other ships been employed in the Bay of Rosas, to assist the Spaniards in defending the fortress, and Captain Lord Cochrane having taken on himself the defence of Trinity Castle, an outwork of that garrison, I have received from him a letter, dated the 5th of December, a copy of which is enclosed, stating the surrender of Rosas by the Spaniards on that day, and of his having embarked the garrison of Trinity Castle on board his ship from the castle destroyed.

"The heroic spirit and ability which have been evinced by Lord Cochrane in defending this castle, although so shattered in its works against the repeated attacks of the enemy, is an admirable instance of his lordship's zeal; and the distinguished conduct of Lieutenants Johnson and Hoare, of the Royal Marines, and the officers and men employed in this affair under his lordship, will, doubtless, be very gratifying to my Lords Commissioners of the Admiralty.

(Signed, &c.) "COLLINGWOOD.

"To the Secretary of the Admiralty."

To these despatches I may be pardoned for appending the following extract from the *Gerona Gazette*, as it appeared in the *Naval Chronicle* of 1809.

LORD COCHRANE.

The Spanish *Gerona Gazette*, when inserting a letter from Lord Cochrane, January 1, 1809, subjoins the following liberal testimony to his noble conduct :—

"This gallant Englishman has been entitled to the admiration and gratitude of this country from the first moment of its political resurrection. His generosity in co-operating with our earliest efforts, the encouragement we received from the interest he took with the commanders of the Balearic islands, to induce them to succour us with troops and ammunition, can never be erased from our recollection. The extraordinary services which we owe to his indefatigable activity, particularly this city and the adjacent coast, in protecting us from the attempts of the enemy, are too well known to be repeated here. It is a sufficient eulogium upon his character to mention, that in the defence of the castle of Trinidad, when the Spanish flag, hoisted on the wall, fell into the ditch, under a most dreadful fire from the enemy, his lordship was the only person who, regardless of the shower of balls flying about him, descended into the ditch, returned with the flag, and happily succeeded in placing it where it was."

Without any degree of egotism, I may—considering that no praise beyond Lord Collingwood's was ever awarded to me for my defence of Trinidad—be excused from adducing the following remarks, known to be from the pen of Sir Walter Scott.

"Thus, in consequence of our co-operation, were the French detained a whole month before a neglected and ill-provided fortress, which,

without that co-operation, could not have resisted the first attack. The event might have been different had there been a floating army off the coast—the whole of the besieging force might then have been cut off. Of the errors which the English Government committed in the conduct of the Spanish war, the neglect of this obvious and most important means of annoying the enemy, and advantaging our allies, is the most extraordinary. Five thousand men, at the disposal of Lord Cochrane or Sir Sidney Smith, or any of those numerous officers in the British navy who have given undoubted proofs of their genius as well as courage, would have rendered more service to the common cause *than five times that number on shore*, because they could at all times choose their points of attack, and the enemy, never knowing where to expect them, would everywhere be in fear, and everywhere in reach of the shore in danger.

“Lord Cochrane, during the month of September, 1808, with his single ship, the ‘*Impérieuse*,’ kept the whole coast of Languedoc in alarm,—destroyed the numerous semaphoric telegraphs, which were of the utmost consequence to the numerous coasting convoys of the French, and not only prevented any troops from being sent from that province into Spain, but even excited such dismay that 2000 men were withdrawn from Figueras to oppose him, when they would otherwise have been marching farther into the peninsula. The coasting trade was entirely suspended during this alarm; yet with such consummate prudence were all Lord Cochrane’s enterprises planned and executed, that *not one of his men were either killed or hurt*, except one, who was singed in blowing up a battery.”

For none of the services detailed in the last two chapters did I ever receive praise or reward from the Admiralty authorities! though from the nature of the services they were necessarily accompanied by the deprivation of all chance of prize-money, either to myself, officers, or crew. The check opposed to the advance of the French in Catalonia—as testified by Lord Colingwood—was therefore made at *my expense*, without costing a farthing to the nation beyond the expenditure of ammunition; a strange contrast to some of the costly expeditions of the period for less results, and one which ought to have secured for me anything but the political animosity with which all my services were regarded.

CHAPTER XVIII.

CRUISE OF THE 'IMPÉRIEUSE' CONTINUED.

Defeat of the Spaniards.—Attack some French vessels.—French operations.—Letter of Lord Cochrane.—Lord Collingwood.—Operations of the enemy.—Fall in with the *Cyrene*.—Sail for Minorca.—Apply for leave.—Motives for leaving.—Apathy of the government.—Reproached for service.—Neglect of the Admiralty.

WHEN in the roads of San Felin, on the 7th of December, a boat came off with a request from the Spanish commandant that I would reconnoitre the enemy's position in the direction of Gerona. I had, at first, considerable doubts whether compliance with a request to act in a military capacity came within the sphere of a naval officer's duty; but considering that Lord Collingwood's instructions were to aid the Spaniards by any means within my power, I resolved for once to forego my reluctance to leave the frigate, and accordingly accompanied the commandant and his staff in the direction of the enemy, whom we found assembled in such numbers as to render successful opposition out of the question.

Being unable to advise the Spaniards in this locality to adopt any beneficial course, or indeed how to act in any effective way against the enemy, we again sailed in the direction of Barcelona, where a Spanish force of 40,000 men, under General Vives, was closely investing the town so as to cut off supplies from the French garrison. As the consequent scarcity of provisions affected the inhabitants also, all who could afford to hire boats were quitting the place with their families; the garrison offering no obstacle.

On the 17th, a body of French—or rather Italian troops embodied in the French army—made their appearance for the purpose of relieving the garrison. As they numbered only about 10,000, and the Spaniards fully 40,000, posted on the top of a hill, with every advantage in their favour, the defeat of the Franco-Italians appeared so much a matter of course as to induce me to go on shore to witness the engagement.

To my surprise, Vives allowed his flank to be turned, and the French attacking in front and rear at the same time the Spaniards became panic-struck, and fairly ran away. The

rout was complete ; and it was with difficulty that I managed to get on board the frigate.

Shortly after gaining the ship, a boat full of officers was seen to put off from the shore and make for the 'Impérieuse.' On coming alongside, it was reported to me that General Vives was amongst their number, on which I returned a message expressive of disbelief : adding that it could not be the general, for that to my certain knowledge he was on shore, driving back the French who were attempting to relieve Barcelona. After some hesitation, General Vives personally avowed himself, and demanded a conveyance for himself, officers, and 1000 men to Tarragona ; which demand being flatly refused, they left for the 'Cambrian,' which lay at anchor not far off.

On the 19th we got under weigh, and soon after fell in with a vessel bound for Palamos, and crowded with families escaping from Barcelona, all of whom bitterly complained of the shameful treatment they had experienced at the hands of the French soldiery. On the 21st we came to off St. Philou, which had just been plundered of everything.

Nothing material occurred till the 30th, when, beating up towards Caldagues Bay, we received intelligence that several French vessels, bound to Barcelona with provisions for the relief of the French army, were at anchor there. To attack these, as we had reason to believe that there was a considerable body of the enemy at Caldagues, and as the harbour was not more than half a mile broad, was a dangerous affair, on account of the necessity of anchoring within point-blank range of musketry. It was, however, of great importance that the provisions should not reach their destination, and, in place of waiting for them to proceed on their voyage, I decided on attacking them as the convoy lay at anchor.

At midday we were close to the entrance of the harbour, and made out the convoy and two vessels of war in charge of them, the whole being protected by a battery and a number of French troops on the hills. Bringing the 'Impérieuse' to an anchor we commenced firing on the vessels of war, one of which shortly afterwards sank ; when directing our attack on her consort, she also sank and fell on her broadside, the crew escaping on shore.

The protecting vessels being thus disposed of, we warped closer in shore for the purpose of silencing some guns which whilst engaged in sinking them had repeatedly struck us.

order to divide the enemy's attention, a party of marines was despatched to make a feint of landing near the town, whilst with the other marines and the blue jackets we dashed on shore between the former and the French, who were still firing on us from the battery. The latter, seeing the double attack and afraid of being cut off from their comrades in the town, ran off to the hills, abandoning their guns, which, on landing, we threw over the cliff, with the exception of four brass 18-pounders and one 24-pounder, which were taken on board the 'Impérieuse.' We then blew up the magazine.

The coast being now clear, all boats were sent in to bring out eleven vessels laden with provisions, and by dark they were all close alongside, with our marines safely on board. They had, indeed, met with no opposition, the French troops in the town, having run away and joined their comrades on the hills, the whole shortly afterwards marching in the direction of Rosas. During this affair the inhabitants remained quiet spectators on the hills—afraid to assist us, lest the French, who were certain to return on our departure, should retaliate after their usual fashion.

On the 31st we made an effort to raise the vessels of war which had sunk in shallow water near the shore, and after some time succeeded in stopping the leak of the one which had fallen over on her broadside, and was full of water, which being pumped out she floated and was towed alongside the frigate.

By this time a number of Spanish boats from the neighbouring coast came in, and without ceremony set to work plundering our prizes ! It was not till after some rough treatment from a party of marines sent for the protection of the captured vessels, that the Spaniards were made to comprehend that the prizes belonged to us and not to them !

Towards midnight the Spaniards gave us information that the French, with reinforcements from Rosas, were on the point of re-entering the town. We therefore sent a party of marines on board the brig-of-war, to protect her from recapture.

Early in the morning of the 1st of January 1809, the enemy opened upon the brig with a smart fire of musketry, which the marines as smartly returned,—the frigate and a gun in the pinnace meanwhile plying the assailants with grape so effectually that they immediately abandoned their position, and marching round a hill, commenced firing from the other side, where, as the movement was anticipated by the frigate, they

met with a similar reception immediately on showing themselves. Finding us fully prepared at all points, they followed the example of their predecessors, and retreated to the hills, offering no further opposition, whilst we were engaged in weighing the other vessel of war, in which we succeeded also. As soon as the French saw that they could not save either of these vessels, they abandoned the victuallers, and again marched off in the direction of Rosas.

The 2nd was employed in repairing our prizes, and in getting off other brass guns found on shore. On the 3rd we blew up the barrack and another magazine close to the town, without any further interference on the part of the enemy. Our operations being now completed, the smallest vessel of war was despatched to Lord Collingwood, off Toulon, with the following account of our success.

“His Majesty’s Ship ‘Impérieuse,’ Caldagues,
“2nd January, 1809.

“MY LORD,—Having received information of two French vessels of war, and a convoy of victuallers for Barcelona being in this port, I have the honour to inform your lordship, that they are all—amounting to thirteen sail—in our possession.

“The French have been driven from the tower of Caldagues with the loss of nine cannon, which they had mounted or were mounting on the batteries.

“I have the honour, &c.

“COCHRANE.

“The Right Hon. Lord Collingwood.”

“‘La Gauloise,’ cutter, 7 guns and 46 men, commanded by Mr. Avanet, Member of the Legion of Honour.

“‘La Julie,’ lugger, 5 guns, 4 swivels, 44 men, commanded by Mr. Chassereau.

“And eleven victuallers.”

In consequence of which his lordship was pleased to write to the Admiralty as follows:—

“*Copy of a Letter from Vice-Admiral LORD COLLINGWOOD, Commander-in-Chief of His Majesty’s ships and vessels in the Mediterranean, to the Hon. W. W. POLE, dated on board the ‘Ocean’ at sea, the 6th of May, 1809.*

“SIR,—I inclose—to be laid before their Lordships—a letter I have received from Lord Cochrane, captain of his Majesty’s ship ‘Impérieuse,’ who has been for some time past employed on the coast of Catalonia, and where the good services of his lordship in aid of the Spaniards and in annoyance of the enemy could not be exceeded.

“I have, &c.

“COLLINGWOOD.”

Having put to sea with our prizes, except the smallest, which we gave to the Spaniards,—the '*Impérieuse*' stood, on the 9th of January, towards Silva, anchoring in that port at 4 P.M. Observing a battery of ten guns mounted ashore, we landed, rolled them into the sea, and afterwards demolished the battery without opposition.

On the 10th, the Spaniards gave us intelligence of a large detachment of French troops being on their march from Rosas. Anticipating much the same kind of opposition as we had experienced at Caldagues, the marines were directed to take possession of the hill on which the demolished battery had been placed, and soon afterwards the enemy was seen advancing in three divisions. Shortly before reaching the hill, they halted and reconnoitred, after which they filed off towards the opposite mountain, and piled their arms in sight of the ship.

About noon they were reinforced by great numbers, and the whole advanced down the hill, their skirmishers keeping up a brisk fire upon our marines. As it was impossible for these to hold their position against such numbers, and as there was no particular object in so doing, it became necessary to embark them, for which purpose the boats had been placed in readiness. On the first appearance of the reinforcement, the French re-entered their battery, but only to find the iron guns thrown in the sea and the brass ones in our possession. Exasperated at this, they opened upon us so heavy a fire of musketry that we were glad to get off as fast as we could, with the loss of three men.

Scarcely had we pushed off, when they manned a lower battery, which we had not had time to destroy—but though they fired very smartly, we had only two men wounded. It was fortunate we took precautions to re-embark the marines in time—five minutes later would have lost us half their number, and we might have been compelled to leave some of the wounded. It was no less fortunate that, from the entrance being high and narrow, I had, before anchoring in a passage so exposed, taken the precaution of laying out a kedge to seaward, with something like a mile of coir rope attached, to be used in case of emergency. Hauling on this, we were quickly out of reach of the battery, but again anchored just within our own range of the enemy, when the frigate re-opened her fire with shot and shell, keeping up an intermitting cannonade till after nightfall.

We learned in a curious way that the principal portion of the troops who attacked us were Swiss! About midnight a boat was reported alongside with a letter from the commandant of the troops with which we had been engaged. Wondering what he could want with me, I opened the letter, and found it to contain a rigmarole account of himself and the extraordinary achievements of his regiment, which belonged to some canton whose name I forget; the letter concluding with a request for a few *bottles of rum*!! I sent him the rum, together with a reply not very complimentary to his country or present occupation.

On the 11th some of our missing men got on board, and reported that the French had received still larger reinforcements, with heavy artillery, of which, indeed, we had ample proof, they having this morning got their guns to bear so accurately, that almost every shot struck us, so that it became necessary to display the better part of valour, and be off. The wind, unluckily for us, had died away, but a southerly air at length springing up, we put our prisoners ashore, and stood out of the bay, anchoring on the following day at Caldagues.

It would be tedious to narrate the remainder of our cruise, which chiefly consisted in sailing along the Spanish coast, and firing upon French troops wherever they came within reach, this being principally in the vicinity of Barcelona.

On one occasion only did we make much havoc amongst them, viz. on the 22nd. On the previous day we had been reconnoitring Barcelona, and fell in with the 'Cyrene.' Whilst rounding a small promontory in company, we observed a foraging expedition of at least 5000 troops, with immense numbers of mules laden with provisions,—the spoil of the surrounding country,—coming along a road close to the sea. Both ships immediately beat to quarters, and running well within shot and shell range, commenced a heavy fire, which told admirably on the troops and convoy, as was evident from the disorder into which they were thrown. After about two hours persevering—though not continuous fire,—as from the strong breeze blowing, we were occasionally carried past the enemy, and lost time in regaining our position; the French abandoned their line of march, and filed off into the interior, the ships harassing their retreat with shells till they were out of range. The loss of the enemy on this occasion must necessarily have been very severe.

On the 30th we joined Admiral Thornborough's squadron of thirteen sail at Minorca. On the following day we received the unwelcome intelligence of Lieutenant Harrison's having been taken prisoner by the French. I had placed this excellent officer in command of the man-of-war cutter taken with the French convoy at Caldagues, and when off Tarragona he imprudently went on shore with only two hands, to gain information about us. On landing he was immediately surrounded by French troops, a body of whom was embarked in boats to regain possession of his cutter, but by promptly making sail she escaped.

Some time previous to this period I had applied to the Admiralty for permission to return to England. My reasons for the application were various, the ostensible ground being the state of my health, which had in reality suffered severely from the incessant wear and tear of body and mind to which for nearly two years I had been exposed. A more urgent reason was to get back to my place in the House of Commons, in order to expose the robberies of the Admiralty Courts in the Mediterranean, the officials of which were reaping colossal fortunes at the expense of naval officers and seamen, who were wasting their lives and blood for official gain! The barefaced peculations of these courts would be almost incredible, especially as regarded the Maltese Court, were there not some living at the present time who can testify to their enormity. To such an extent was this now carried, that a ship captured without cargo never yielded a penny to the captors, the whole proceeds being swallowed up by the Admiralty Court. With cargo, some trifling surplus might remain, but what between pilfering and official fees, the award was hardly worth the trouble of capture.

The effect of this upon the navy generally was most disastrous, and not upon the navy only, but upon the nation also, which had upwards of 1000 ships in commission without any result at all commensurable with the expenditure. Captains were naturally disinclined to harass themselves and crews for nothing, and avoided making prizes certain to yield nothing but the risk and trouble of capture, and which, in addition, might bring them in debt, as was the result in my own case.

It will now be evident why I preferred harassing the French army in Spain to making prizes for the enrichment of the officials of the Maltese and other Admiralty courts. It was

always my aim to serve my country before my own interests, and in this case I judged it better to do so where the service could be most effectual. Prizes, of which the proceeds were monopolized by a body of corrupt officials, neither under the eye nor control of the government, were not worth troubling ourselves about; so I determined on a course of service where there were no prizes to take, but abundance of highly interesting operations to be undertaken. The frigate's officers and crew willingly seconding my views, I now—more on their account than my own—put on record that *none* of the services previously narrated, though lauded by the admirals commanding them, and by historians subsequently, were ever rewarded, either as regarded myself, or any one under my command, even promotion to the officers being shamefully withheld; their fault, or rather misfortune, consisting in having served under my command.

My chief motive, however, for wishing to return to England was, that during our operations against the French on the Spanish coast, I had seen so much of them as to convince me, that if with a single frigate I could paralyse the movements of their armies in the Mediterranean—with three or four ships it would not be difficult so to spread terror on their Atlantic shores, as to render it impossible for them to send an army into Western Spain. My object then was—as from long and unceasing experience I considered myself entitled to the command of more than one ship—to propose to the Government to take possession of the French islands in the Bay of Biscay, and to let me with a small squadron operate against the enemy's seaboard there, as I had previously done with the 'Speedy' and 'Impérieuse,' from Montpellier to Barcelona.

Had this permission been granted, I do not hesitate to stake my professional reputation that *neither the Peninsular war, nor its enormous cost to the nation, from 1809 onwards, would ever have been heard of*. It would have been easy—as it will always be easy in case of future wars—that is, provided those who have the direction of national affairs have the sagacity to foresee disaster, and, *foreseeing it, to take the initiative*, so to harass the French coast as to find full employment for their troops at home, and thus to render any operations in Western Spain, or even in foreign countries, next to impossible.

By members not aware of this power of harassing an enemy's coast by means of a few frigates, the ministry was greatly

blamed for not having sent a military force to Catalonia, instead of despatching the very inadequate force under Sir John Moore to the western shores of the Peninsula. That the latter step was a great mistake, likely only to end in disaster, is now admitted. But what I contend for is, that no military force was at all needed in Spain, had the government seized and held, by a comparatively small military force, the isles on the coast of France, viz., Isles Dieu, Rhe, Oléron, and a few others; following up or preceding this seizure by a limited number of active frigates harassing the whole western coast of France, which, in consequence, would not have been able to send a single regiment into Spain, and hence, as has been said, we should have had no Peninsular war with its hundreds of millions of national debt. Had the French been thus employed in the defence of their own coasts, the Spaniards on the west coast would have been a match for their enemies, as, with the assistance of a few small British frigates, they were rendered a match for them on the east coast. This was the work I was prepared to recommend to the British Government; considering, moreover, that from the part the 'Imperieuse' had taken in harassing the enemy on the east coast of Spain, I was fairly entitled to ask that any small squadron of frigates, appointed for the purpose of operating on the west coast of France, should be placed under my command.

How my plans for this end, and together with them, my own career as a naval officer, were sacrificed by an occurrence which forms the subject of the next chapters, will there be seen.

The reader will by this time have gathered some idea of what the 'Impérieuse' had effected, as testified by the warmly expressed satisfaction of Lord Collingwood; yet it will scarcely be believed that, in place of approbation, I was reproached for the expenditure of more sails, stores, gunpowder, and shot than had been used by any other captain in the service!

Attention to saving ropes and sails, though without other results, was praised. Expending them, though in energetic service, remarked with displeasure. Nothing that I had done was deemed worthy of notice at home, whilst officers who brought back their ships in as good condition as they left port, were honoured with praise and substantially rewarded; but no mark of approbation or reward was ever conferred on me till upwards of thirty years afterwards, the late Earl of Minto

generously remedied the injustice by conferring upon me the ordinary good service pension. A comparison of my services with the services of those who were rewarded with pensions of 1000*l.* and 1200*l.* a year, will show the actuating principle of the Admiralties of those days, which bestowed on me nothing but marked neglect.

CHAPTER XIX.

APPOINTMENT TO COMMAND FIRE-SHIPS IN BASQUE ROADS.

Undertaking against Rochefort. — Hopes excited. — Present myself at the Admiralty. — Am consulted by Lord Mulgrave. — Lord Gambier's statement. — Anxiety of government. — My plan of action. — Decline the command. — The command pressed upon me. — Return to the *Impérieuse*. — Preparations for attack. — Lord Gambier obtains the laurels, — But dissuades the attack. — The Isle d'Aix. — Lord Gambier's statement.

ALMOST immediately after the arrival of the '*Impérieuse*' at Plymouth, I received the subjoined letter from the Hon. Johnstone Hope, Second Lord of the Board of Admiralty :—

“Admiralty, March 21, 1809.

“MY DEAR LORD,—I congratulate you on your safe arrival after the fatigues you underwent at Trinity. Be assured your exertions there were highly applauded by the Board, and were done most ample justice to by Lord Collingwood in all his despatches.

There is an undertaking of great moment in agitation against Rochefort, and the Board thinks that your local knowledge and services on the occasion might be of the utmost consequence, and, I believe, it is intended to send you there with all expedition; I have ventured to say, that if you are in health, you will readily give your aid on this business.

“Before you can answer this I shall be out of office, and on my way to Scotland, as I found I could not continue here and keep my health. But if you will write to Sir R. Brotherton in reply, and state your sentiments on the getting at the enemy at Rochefort, I am sure it will be kindly taken.

“I am, my dear Lord, yours faithfully,

“W. JOHNSTONE HOPE.

“Captain Lord Cochrane.”

On the receipt of this letter hope appeared to dawn. The St. Vincent or any other official *animus* against me had evidently been satisfied with the punishments with which I had in one shape or other been visited. I was now to be consulted and employed on matters in which my experience and services were to be fully recognized, and my ambition of being ranked

amongst those brave defenders of my country, to whose example I had looked up, was about to be fulfilled ! Alas, for the simplicity of my ideas ! Nothing could be further from the intention of those who wanted to consult me !

Scarcely had the letter reached me, when a telegraphic message was transmitted from the Admiralty, requiring my immediate presence at Whitehall. A brief narrative of recent events will show the reason for the summons.

Early in the year Lord Gambier had been appointed to blockade the French fleet at Brest. Towards the end of February they, however, contrived to elude his vigilance, and got out without leaving a trace as to the direction taken. Despatching Admiral Duckworth in pursuit, his lordship returned to Plymouth. Admiral Duckworth meanwhile reached Cadiz, where he ascertained that the Brest fleet had not entered the Mediterranean. He then ran for Madeira, in the hope of obtaining intelligence of them, should they, as was feared in England, have made for the West Indies.

The fact was that the French squadron, consisting of eight sail of the line and two frigates, had gone to L'Orient, and liberated the ships there blockaded. They next made for Isle d'Aix, intending further to reinforce themselves with the ships at that anchorage, and thence proceed to harass our West India colonies. By the vigilance of Admiral Stopford they were, however, discovered and thwarted as to their ultimate purpose, though successful in forming a junction with the Rochefort squadron. On finding Admiral Stopford in their vicinity, though with four ships of the line only, they put into Basque Roads, subsequently withdrawing into Aix Roads, where Admiral Stopford having been reinforced, blockaded them with seven ships of the line. On the 7th of March Lord Gambier arrived in Basque Roads with an additional five sail, several frigates and small vessels, the British squadron being now numerically superior to that of the enemy.

On presenting myself at the Admiralty, the First Lord (Mulgrave) did me the honour to consult me confidentially as to the practicability of destroying or disabling the French squadron as it lay at anchor under the protection of the batteries of Isle d'Aix, where, as his lordship told me, the commander-in-chief did not consider it prudent to attack them. Lord Mulgrave further stated that the Board of Admiralty, fearing that "the French fleet might again slip out, as it had done at Brest, were

extremely desirous that it should forthwith be destroyed. With that view they had already consulted various naval officers on the practicability of accomplishing the object by means of fire-ships; but that their opinions were discouraging."

"Now," added his lordship, "you were some years ago employed on the Rochefort station, and must, to a great extent, be practically acquainted with the difficulties to be surmounted. Besides which, I am told that you then pointed out to Admiral Thornborough some plan of attack, which in your estimation would be successful. Will you be good enough again to detail that or any other plan, which your further experience may suggest? But first let me tell you what Lord Gambier has written to the Admiralty on the subject."

Lord Mulgrave then read me an extract from Lord Gambier's letter, to the following effect, that "an attack by means of fire-ships was hazardous, if not desperate;" but that "if the Board of Admiralty wished to order such an attack, it should be done secretly and quickly."

I respectfully reminded his lordship that he was asking me to suggest means for an attack which the admiral commanding considered "hazardous, if not desperate;" and which other naval officers, no doubt my seniors in the service, had pronounced impracticable. On both these accounts there was reason to fear that if means suggested by me were adopted, the consequence would be an amount of ill-feeling on the part of those officers, which any naval officer in my position should feel reluctant to provoke.

Lord Mulgrave replied that "the present was no time for professional etiquette. The Board was, if possible, bent on striking some decisive blow before the French squadron had an opportunity of slipping out; for if their sailing were not prevented they might get off to the West Indies, and do our commerce an immense amount of mischief. However," added his lordship, "there is Lord Gambier's letter. Give me your opinion on it."

As this letter was afterwards made public, there can be no reason for withholding it.

"'Caledonia,' off the Nertuis d'Antioche,

"11th March, 1809.

"MY DEAR LORD,—The advanced work between the Isles of Aix and Oleron, which I mentioned in my last letter, I find was injured in its foundation, and is in no state of progress; it is, therefore, no

obstacle to our bombarding the enemy's fleet, if you should be disposed to attempt to destroy it.

"A trial was made six years ago, when a Spanish squadron lay at the same anchorage, but without effect. The report of it you will find in the Admiralty. It was made by Sir C. Pole.

"The enemy's ships lie much exposed to the operation of fire-ships, *it is a horrible mode of warfare, and the attempt hazardous if not desperate*; but we should have plenty of volunteers for the service. If you mean to do anything of the kind, it should be with secrecy and quickly, and the ships used should not be less than those built for the purpose—at least a dozen, and some smaller ones.

"Yours, my dear Lord, most faithfully,

"GAMBIER.

"The Right Hon. Lord Mulgrave."

"You see," said Lord Mulgrave, "that Lord Gambier will not take upon himself the responsibility of attack, and the Admiralty is not disposed to bear the *onus* of failure by means of an attack by fire-ships, however desirous they may be that such attack should be made."

It was now clear to me why I had been sent for to the Admiralty, where not a word of approbation of my previous services was uttered. The Channel fleet had been doing worse than nothing. The nation was dissatisfied, and even the existence of the ministry was at stake. They wanted a victory, and the admiral commanding plainly told them he would not willingly risk a defeat. Other naval officers had been consulted, who had disapproved of the use of fire-ships, and, as a last resource, I had been sent for, in the hope that I would undertake the enterprise. If this were successful, the fleet would get the credit, which would be thus reflected on the ministry; and if it failed, the consequence would be the loss of my individual reputation, as both ministry and commander-in-chief would lay the blame on me.

I had, however, no fear of failure in the plans at that moment uppermost in my mind, but from the way in which my co-operation was asked, I determined to have nothing to do with the execution of the plans, believing that I should have to deal with some who would rather rejoice at their failure than their success.

My reply to Lord Mulgrave, therefore, was, that, "the opinion of Lord Gambier, and the naval officers consulted by the Admiralty, as to the use of fire-ships, coincided with my own; for if any such attempt were made upon the enemy's squadron, the result would in all probability be, that the fire-ships would be

boarded by the numerous row-boats on guard,—the crews murdered,—and the vessels turned in a harmless direction. But that if, together with the fire-ships, a plan were combined which I would propose for his lordship's consideration, it would not be difficult to sink or scatter the guard-boats, and afterwards destroy the enemy's squadron, despite any amount of opposition that might be offered." I further told Lord Mulgrave that my opinion agreed with the expression of Lord Gambier, that the fortifications on Isle d'Aix were "no obstacle;" though this opinion on my part was expressed for different reasons to the one assigned by his lordship, my own previous knowledge of the anchorage satisfying me that the channel was of sufficient breadth to enable an attacking force to interpose the enemy's fleet between itself and Isle d'Aix, as well as to keep out of reach of the fortifications on Aix, even though those fortifications might be in a state of efficiency, in place of being "no obstacle," from their dilapidated condition, as Lord Gambier had, no doubt, correctly described them.

I then briefly recapitulated to his lordship the outline of my plan, which, if seconded by the fleet, must certainly result in the total destruction of the French squadron. His lordship appeared very much gratified by the communication, and after praising its novelty and completeness, frankly expressed his entire confidence in the result, requesting me to put the substance of my suggestion in writing, so that he might at once lay it before the Board of Admiralty, which was then sitting.

The request was immediately complied with, and the letter placed in the hands of Lord Mulgrave, who shortly afterwards personally communicated to me his own satisfaction, and the entire concurrence of the Board in my plan. His lordship at the same time asked me "if I would undertake to put it in execution?"

I told him that "for reasons before assigned I would rather not do so, as being a junior officer, it would excite against me a great amount of jealousy. Besides which Lord Gambier might consider it presumptuous on my part to undertake what he had not hesitated to describe as 'hazardous, if not desperate.' It was, moreover, by no means certain that Lord Gambier would be satisfied to put my plans in execution, as it was not impossible that he might deem them still more 'desperate' and 'horrible' than those to which he had already objected. I, however, assured his lordship that the plans were at the service of the

Admiralty, and Lord Gambier also, irrespective of any share in their execution to which I might be considered entitled."

"But," objected his lordship, "all the officers who have been consulted deem an attack with fire-ships impracticable, and after such an expression of opinion, it is not likely they would be offended by the conduct of fire-ships being given to another officer who approved of their use."

My answer was, "that the plan submitted to his lordship was not an attack with fire-ships alone, and when its details became known to the service, it would be seen that there was no risk of failure whatever, if made with a fair wind and flowing tide. On the contrary, its success on inspection must be evident to any experienced officer, who would see that as the enemy's squadron could not escape up the Charente, their destruction would not only be certain, but, in fact, easy. The batteries on Isle d'Aix were scarcely worth notice, not so much from their dilapidated condition, though that was rightly estimated in Lord Gambier's letter, as from there being plenty of room to steer clear of them, as well as from the ease with which the enemy's ships might be brought between the fortifications and the ships attacking; the channel being sufficient for this purpose, as well as for their passage without any exposure to shot likely to be detrimental. As all this would be apparent to the officers of the fleet whenever the plan submitted should be communicated to them, I must emphatically repeat my objection to undertake its execution, not only on this ground, but for the additional reason that my health had been so much shattered by recent exertions as to require repose."

Lord Mulgrave did not deny the reasonableness of my objections, admitting that "although he did not believe Lord Gambier would feel hurt at my undertaking to put my own plan in execution, other officers might not be well pleased that its superintendence should be committed to a junior officer. On this ground he would reconsider the matter, and endeavour to find some one else to put it in execution.

I then took leave of Lord Mulgrave, who, next day, again sent for me, when he said, "My lord, you must go. The Board cannot listen to further refusal or delay. Rejoin your frigate at once. I will make you all right with Lord Gambier. Your own confidence in the result has, I must confess, taken me by surprise, but it has increased my belief that all you anticipate will be accomplished. Make yourself easy about the jealous feeling

of senior officers; I will so manage it with Lord Gambier that the *amour propre* of the fleet shall be satisfied."

On this I requested a short time for final consideration, and before its expiration sent a letter to his lordship again declining the command; but at the same time informing him that it had ever been a maxim with me not to shrink from duty to my country under any circumstances, however disadvantageous to myself, and that if officers my seniors could not be found to put the project in execution, I would then waive further objection.

The immediate result was the following letter from Lord Mulgrave, who, contrary to the tenour of mine, had construed it into an unqualified acceptance of the command.

[Private.]

"Admiralty, March 25, 1809.

"MY DEAR LORD,—The letter I have just received from your lordship is truly characteristic of the whole tenour of your professional life. If your health will admit of your undertaking the important service referred to, I am fully persuaded that I cannot so well commit it to any others.

"I have the honour to be, with the highest esteem,

"Your lordship's most faithful servant,

"MULGRAVE.

"The Lord Cochrane."

"P.S. I think the sooner you go to Plymouth the better. You will there receive an order to join Lord Gambier, to whom a secret letter will be written, directing him to employ your Lordship on the service which we have settled against the Rochefort fleet."

I have been thus minute in detailing the circumstances connected with my acceptance of a command so unusual, because it has been said, and for anything that has appeared to the contrary, may still be considered, that I thrust myself into the position, which, as my own foresight had anticipated, became eventually a very serious one for me, as bringing upon my head an amount of enmity, such as even my own misgivings had not considered possible.

Having made the requisite suggestions to Lord Mulgrave relative to the contents and mode of fitting up the explosion vessels, the fire-ships to be employed being of the usual description, I returned on board the 'Imperieuse' at Plymouth, there to await further orders from the Admiralty.

Such was the despatch used, that by the 19th of March the Board was in a position to apprise Lord Gambier of the steps taken, by the following letter addressed to his lordship by the Board of Admiralty.

“Admiralty Office, March, 19, 1809

“MY LORD,—I am commanded by my Lords Commissioners of the Admiralty to acquaint your lordship, that they have ordered twelve transports to be fitted as fire-ships, and to proceed and join you off Rochefort; and that Mr. Congreve (afterwards Sir W. Congreve) is under orders to proceed to your lordship in a coppered transport (the ‘Cleveland’), containing a large assortment of rockets, and supplied with a detachment of marine artillery, instructed in the use of them, and placed under Mr. Congreve’s orders.

“That the vessels named in the margin (‘Etna,’ ‘Thunder,’ ‘Vesuvius,’ ‘Hound,’ and ‘Fury’), are likewise under orders to fit for sea with all possible expedition, and to join you as soon as they may be ready. That all preparations are making with a view to enable your lordship to make an attack upon the French fleet at their anchorage off Isle d’Aix, if practicable; and I am further commanded to signify their Lordships’ directions to you, to take into your consideration the possibility of making an attack upon the enemy, either conjointly with your line-of-battle ships, frigates, and small craft, fire-ships, bombs, and rockets—or separately by any of the above-named means.

“It is their Lordships’ further direction, that you state to me for their information, whether any further augmentation of force of any description is in your opinion necessary to enable you to perform this service with full effect, that it may be prepared and forwarded to you without a moment’s delay—their Lordships having come to a determination to leave no means untried to destroy the enemy’s squadron.

(Signed)

“W. W. POLE.

“The Right Hon. Lord Gambier.”

Lord Gambier’s reply to this intimation, that on the receipt of the above-mentioned appliances he would be expected to attack the French squadron, was, that “*if the Board deemed an attack practicable, he would obey any orders with which they might honour him, however great might be the loss of men and ships.*” A plain declaration that he *still declined to take upon himself the responsibility of attack.*

It will be necessary to bear this fact in mind, as after the attack was made, Lord Gambier, in his first despatch to the Admiralty, gave me credit for everything but the success of my plan, and in his second despatch *omitted my name altogether as having had anything to do with either planning or executing it!!!* and in the vote of thanks subsequently given to his lordship in parliament, the officers under my orders were thanked, but no mention whatever was made of me, either as having conducted, or even taken any part in the attack, the whole merit of which was ascribed to Lord Gambier, who was never nearer than nine miles to the scene of action, as will subsequently appear.

Lord Gambier’s answer to the previous letter from the Board is, however, so material to the right understanding of the

events which followed, that it will be better to subjoin the whole of it.

“‘Caledonia,’ in Basque Roads.

“March 26, 1809.

“SIR,—In obedience to their Lordships’ directions to me, contained in your letter of the 19th instant, I beg leave to state that it is advisable that I should be furnished with six gun-brigs in addition to those I may be able to collect of such as are under my command; at present there are only two at this anchorage. I shall, however, order the ‘Insolent’ and ‘Contest’ to join me from Quiberon Bay; and I should hope that the ‘Martial’ and ‘Fervent’ will shortly return from Plymouth.

“It is proper I should state for their Lordships’ information, the position in which the French fleet is at present anchored under the Isle d’Aix, that their Lordships may be able to form a judgment of the success that may be expected to attend an attack upon the enemy’s fleet, in either of the modes directed by their Lordships in your letter above-mentioned.

“The enemy’s ships are anchored in two lines, very near each other, in a direction due south from the Isle d’Aix, and the ships in each line not further apart than their own length; by which it appears, as I imagined, that the space for their anchorage is so confined by the shoalness of the water, as not to admit of ships to run in and anchor clear of each other. The most distant ships of their two lines are within point-blank shot of the works on the Isle d’Aix; such ships, therefore, *as might attack the enemy would be exposed to be raked by red-hot shot, &c., from the island, and should the ships be disabled in their masts, they must remain within range of the enemy’s fire until they are destroyed*—there not being sufficient depth of water to allow them to move to the southward out of distance.

“The enemy having taken up their position apparently with the view not only to be protected by *the strong works on the Isle d’Aix*, but also to have the entrance of the Charente open to them, that in case of being attacked by fire-ships and other engines of the kind, they can run up the river beyond the reach of them. The tide and wind that are favourable to convey this kind of annoyance to the enemy, serve equally to carry them up the river.

“With respect to the attempt that may be made to destroy the enemy’s ships with shells, &c., I am not competent to give an opinion until it is ascertained whether the booms can be placed within the reach of their mortars from the enemy’s ships, without being exposed to the fire of the Isle d’Aix.

“I beg leave to add that, *if their Lordships are of opinion that an attack on the enemy’s ships by those of the fleet under my command is practicable, I am ready to obey any orders they may be pleased to honour me with, however great the risk may be of the loss of men and ships.*

“I have the honour, &c.

“GAMBIER.

“The Hon. W. W. Pole.”

I have marked some passages of this singular letter in italics,

for the purpose of showing their important bearing on subsequent events. On the 11th Lord Gambier had informed the Board of Admiralty—as to my own personal knowledge was the fact—that “the advanced work on the Isle d’Aix was *no obstacle to bombardment*.” “Now,” says his lordship, “*the ships attacking would, from the fire of this fort, be exposed to be raked by red-hot shot, and if disabled in their masts, must be destroyed*.” In the former letter his lordship stated that the fort was “*injured in its foundations, and in no state of progress*.” It is now characterised as “*the strong works*” on the Isle d’Aix.

That there was really little damage to be feared from these fortifications, either to ships or bombs, was afterwards corroborated by the fact, that when a partial attack only was reluctantly made, neither suffered from their fire, the result proving that these works had from the first been rightly characterised by Lord Gambier as “*forming no obstacle*,” though magnified into “strong works.”

In my interview with Lord Mulgrave, I had stated to his lordship, that the works on the Isle d’Aix were no impediment, because of the facility with which the enemy’s ships could be brought between the attacking British force and the fortifications, so as completely to interpose between the fire of the latter. Lord Gambier does not appear to have taken this view, but he completely proved its soundness by stating that the enemy’s ships lay within point-blank shot of their own works, so as to expose them to the fire of their own forts, on Aix, if these fired at all, whilst my previous knowledge of the anchorage made it a matter of certainty to me, that it was not difficult for the British fleet to place the enemy in such a position. Lord Gambier’s assertion was one of the main points relied on in the subsequent court-martial, and his lordship’s own letter just quoted is in direct contradiction to the evidence upon which he relied for acquittal.

A more singular declaration is made by his lordship, that if the enemy were attacked by “fireships and other engines of the kind, they could run up the river beyond their reach.” In place of this the result, as will presently be seen, proved that the attempt to do so only ended in all running ashore, with the exception of two, and they ultimately escaped up the river because they were not attacked at all! But we must not anticipate.

Had Lord Gambier been, as I was, from having previously blockaded Rochefort in the ‘Pallas,’ practically acquainted

with the soundings, he must have taken the same views that I had laid before Lord Mulgrave, and in place of writing to the Admiralty all sorts of evil forebodings to "men and ships," he would have seen that the attack, with the means indicated, was certain in effect, and easy of accomplishment.

CHAPTER XX.

Sail for the Basque Roads.—My awkward position.—Ill-humour of the fleet.—Admiral Harvey.—Imprudence of Admiral Harvey.—Complaints of Lord Gambier.—Inaccurate soundings.—Lord Gambier's tracts.—Cobbett's comments on the tracts.—Dissensions in the fleet.—Letter to Lord Mulgrave.—My principles of warfare.—Night work.—My principles of action.—The Isle d'Aix.—Explosion vessels.

WITHOUT waiting to convoy the fire-ships and explosion vessels, the 'Impérieuse' sailed forthwith for Basque Roads in order to expedite the necessary arrangements, so that on their arrival no time might be lost in putting the project in execution; a point on which the Board of Admiralty was most urgent, not more in a belligerent than a political point of view, for as has been stated, the public was dissatisfied that the enemy had been permitted to escape from Brest; whilst our West Indian merchants were in a state of panic lest the French squadron, which had escaped the vigilance of the blockading force before Brest, might again slip out, and inflict irretrievable disaster on their colonial interests, then the most important branch of our maritime commerce.

The 'Impérieuse' arrived in Basque Roads on the 3rd of April, when I was received with great urbanity by the commander-in-chief; his lordship without reserve communicating to me the following order from the Admiralty:—

"Admiralty Office, 25th March, 1809.

"MY LORD,—My Lords Commissioners of the Admiralty having thought fit to select Captain Lord Cochrane for the purpose of conducting, under your lordship's direction, the fire-ships to be employed in the projected attack on the enemy's squadron off Isle d'Aix, I have their Lordships' commands to signify their direction to you to employ Lord Cochrane in the above-mentioned service accordingly, whenever the attack shall take place; and I am to acquaint you that the twelve fire-ships, of which you already had notice, are now in the Downs in readiness, and detained only by contrary winds, and that Mr. Congreve is also at that anchorage, with an assortment of rockets, ready to proceed with the fire-ships.

"I am also to acquaint you that the composition for the six transports, sent to your lordship by Admiral Young, and 1000 carcasses for 18-pounders, will sail in the course of three or four days from Woolwich, to join you off Rochefort.

"I have, &c. &c.

"Admiral Lord Gambier."

"W. W. POLE.

Whatever might have been the good feeling manifested by Lord Gambier, it did not, however, extend to the officers of the fleet, whose *amour propre* Lord Mulgrave had either not attempted, or had failed to satisfy. Every captain was my senior, and the moment my plans were made known, all regarded me as an interloper, sent to take the credit from those to whom it was now considered legitimately to belong. "Why could we not have done this as well as Lord Cochrane?" was the general cry of the fleet, and the question was reasonable; for the means once devised, there could be no difficulty in effectually carrying them out. Others asked, "Why did not Lord Gambier permit us to do this before?" the second query taking much of the sting from the first, as regarded myself, by laying the blame on the commander-in-chief.

The ill-humour of the fleet found an exponent in the person of Admiral Harvey, a brave Trafalgar officer, whose abuse of Lord Gambier to his face was such as I had never before witnessed from a subordinate. I should even now hesitate to record it as incredible, were it not officially known by the minutes of the court-martial in which it some time afterwards resulted.*

On ascertaining the nature of my mission, and that the conduct of the attack had been committed to me by the Board of Admiralty, Admiral Harvey came on board the flag-ship with a list of officers and men who volunteered, under his direction, to perform the service which had been thrust upon me. On Lord Gambier informing him that the Board had fixed upon me for the purpose, he said, "he did not care; if he were passed by, and Lord Cochrane or any other junior officer was appointed in preference, he would immediately strike his flag, and resign his commission!"

Lord Gambier said he "should be sorry to see him resort to such an extremity, but that the Lords of the Admiralty having fixed on Lord Cochrane to conduct the service, he could not deviate from their Lordships' orders."

* Minutes of a court-martial on Admiral Harvey, on board H. M. S. 'Gladiator,' at Portsmouth, May 22nd, 1809.

On this explanation being good-naturedly made by Lord Gambier, Admiral Harvey broke out into invectives of a most extraordinary kind, openly avowing that "he never saw a man so unfit for the command of the fleet as Lord Gambier, who instead of sending boats to sound the channels, which he (Admiral Harvey) considered the best preparation for an attack on the enemy, he had been employing, or rather amusing himself with mustering the ships' companies, and had not even taken the pains to ascertain whether the enemy had placed any mortars in front of their lines; concluding by saying, that had Lord Nelson been there, he would not have anchored in Basque Roads at all, but would have dashed at the enemy at once."

Admiral Harvey then came into Sir Harry Neale's cabin, and shook hands with me, assuring me that "he should have been very happy to see me on any other occasion than the present. He begged me to consider that nothing personal to myself was intended, for he had a high opinion of me; but that my having been ordered to execute such a service, could only be regarded as an insult to the fleet, and that on this account he would strike his flag so soon as the service was executed." Admiral Harvey further assured me that "he had volunteered his services, which had been refused."

To these remarks I replied: "Admiral Harvey, the service on which the Admiralty has sent me was none of my seeking. I went to Whitehall in obedience to a summons from Lord Mulgrave, and at his lordship's request gave the Board a plan of attack, the execution of which had been thrust upon me, contrary to my inclination, as well knowing the invidious position in which I should be placed."

"Well," said Admiral Harvey, "this is not the first time I have been lightly treated, and that my services have not been attended to in the way they deserved; because I am no canting methodist, no hypocrite, no psalm-singer, and do not cheat old women out of their estates by hypocrisy and canting! I have volunteered to perform the service you came on, and should have been happy to see you on any other occasion, but am very sorry to have a junior officer placed over my head."

"You must not blame me for that," replied I: "but permit me to remark that you are using very strong expressions relative to the commander-in-chief."

"I can assure you, Lord Cochrane," replied Admiral Harvey, "that I have spoken to Lord Gambier with the same degree of

prudence as I have now done to you in the presence of Captain Sir H. Neale."

"Well, admiral," replied I, "considering that I have been an unwilling listener to what you really did say to his lordship, I can only remark that you have a strange notion of prudence."

We then went on the quarter-deck, where Admiral Harvey again commenced a running commentary on Lord Gambier's conduct, in so loud a tone as to attract the attention of every officer within hearing, his observations being to the effect that "Lord Gambier had received him coldly after the battle of Trafalgar, that he had used him ill, and that his having forwarded the master of the 'Tonnant's' letter for a court-martial on him, was a proof of his methodistical, jesuitical conduct, and of his vindictive disposition; that Lord Gambier's conduct, since he took the command of the fleet, was deserving of reprobation, and that his employing officers in mustering the ships' companies, instead of in gaining information about the soundings, showed himself to be unequal to the command of the fleet." Then turning to Captain Bedford, he said, "You know you are of the same opinion."

Admiral Harvey then left the ship, first asking Captain Bedford "whether he had made his offer of service *on any duty* known to the commander-in-chief?" To which Captain Bedford replied in the affirmative.

My reason for detailing this extraordinary scene, the whole of which, and much more to the same effect, will be found in the minutes of the court-martial previously referred to—is to show into what a hornet's nest my plans had involuntarily brought me. It may readily be imagined that I bitterly regretted not having persisted in my refusal to have anything to do with carrying them into execution, for now they were known, all believed—and, being my senior officers, had no doubt a right to believe—that they could execute them better than myself.

So far as regarded the neglect to take soundings of even the approaches to the channel leading to the enemy's fleet, Admiral Harvey was quite right in his statement. Nothing of the kind had been attempted beyond some soundings on that part of the Boyart shoal, *farthest from the French fleet!* Had not my previous knowledge of the anchorage, as ascertained in the 'Pallas' a few years before, supplied all the information necessary for my conduct of the plans proposed, this neglect would in all probability have been fatal to their execution. Unlike Admiral

Harvey, I am not, however, prepared to blame Lord Gambier for the neglect, as a slight acquaintance with the masters, whose duty it was to have made the examination, showed me that they were quite capable of misleading the commander-in-chief, by substituting their own surmises for realities. Certain it was, that although no soundings whatever of the approaches to the enemy's fleet had been taken, those whose duty it was to have made them, as far as practicable, pretended to know more of the anchorage than I did!* and had, no doubt, impressed the commander-in-chief that their reports were founded on actual observations.

How far Admiral Harvey was justified in his intemperate allusions to the "*musters*" and *quasi* religious practices on board the fleet, is a point upon which I do not care to enter, further than to state that these "*musters*" were found to relate to catechetical examinations of the men, and that I had not been many days in the fleet before the commander-in-chief sent a number of tracts on board the '*Impérieuse*,' with an injunction for their distribution amongst the crew.

Having by this time ascertained that, rightly or wrongly, the fleet was in a state of great disorganisation on account of the orders given to various officers for the distribution of tracts, and being naturally desirous of learning the kind of instruction thereby imparted, I found some of them of a most silly and injudicious character, and therefore declined to distribute them, but imprudently selected some, and sent them to my friend Cobbett, together with a description of the state of the fleet, in consequence of the tract controversy. It was a false step, though I did not at the time contemplate the virulent animosity which might be excited at home from Cobbett's hard-hitting comments, nor the consequent amount of enmity to myself, which only ceased with my eventual removal from the navy!

The fact was, that the fleet was divided into two factions, as bitter against each other as were the Cavaliers and Roundheads in the days of Charles I. The above mentioned imprudent step incurred the ill will of both parties. The tractarian faction, consisting for the most part of officers appointed by Tory influence or favour of the Admiral, and knowing my connection

* In the subsequent court-martial, one of these men constructed a chart of the soundings, as from his own personal knowledge, and in his verbal evidence said that he had never sounded at all! His chart was, nevertheless, made the basis of the trial, to the exclusion of the official charts!

with Burdett and Cobbett, avoided me; whilst the opposite faction, believing that from the affair of the tracts I should incur the irreconcilable displeasure of Lord Gambier, lost no opportunity of denouncing me as a concocter of novel devices to advance my own interests at the expense of my seniors in the service.

Strange as it may appear, almost the only persons who treated me with consideration were Lord Gambier, his second in command, Admiral Stopford, and his flag-captain, Sir H. Neale.

For this urbanity Lord Gambier had to incur the bitter sarcasm of the fleet—that when the Admiralty wanted to attack the enemy with fire-ships, he had denounced the operation as a “horrible and anti-Christian mode of warfare;” but that now he saw my plan of explosion vessels, in addition to fire-ships, was likely to be crowned with success, he no longer regarded it in the same light.

It was evident that amidst these contending factions, so fatal in a fleet where all ought to be zeal and unity of action—I should have to depend on myself. Disregarding, therefore, the disunion prevalent, and, indeed, increased four-fold by the further division of opinion with respect to Admiral Harvey’s disrespectful expressions to the commander-in-chief, I determined to reconnoitre for myself the position of the French ships, especially as regarded their protection by the batteries on Isle d’Aix, and for this purpose made as minute a *reconnaissance* as was practicable.

Perhaps it ought to have been previously mentioned, that on the evening of our arrival, I had gone close in to the island, and had embodied the result of my observations in the following letter to Lord Mulgrave, to whom I considered myself more immediately responsible.

“‘Impérieuse,’ Basque Roads, 3rd April.

“MY LORD,—Having been very close to the Isle d’Aix, I find that the western sea wall has been pulled down to build a better. At present the fort is quite open, and may be taken as soon as the French fleet is driven on shore or burned, which will be as soon as the fireships arrive. The wind continues favourable for the attack. If your lordship can prevail on the ministry to send a military force here, you will do great and lasting good to our country.

‘Could ministers see things with their own eyes, how differently would they act! but they cannot be everywhere present, and on their opinion of the judgment of others must depend the success of war—possibly the fate of England and all Europe.

"No diversion which the whole force of Great Britain is capable of making in Portugal or Spain, would so much shake the French government as the capture of the islands on ~~an~~ his coast. A few men would take Oleron; but to render the capture effective, send twenty thousand men, who, without risk, would find occupation for a French army of a hundred thousand.

"The batteries on Oleron are all open, except two of no importance. Isle Gros would also be of infinite use to our cruisers in the destruction of the French trade.

"The commerce on this coast—and indeed on all the French coasts—is not inferior to that of England in number of vessels and men employed, though not in size of coasting craft.

"The coasting trade is the great nursery of English seamen, and yet we strangely affect to despise the French coasting trade. Must not the corn of the French northern provinces give food to the south? Are the oil and wine of the south of no consequence to those who grow none for themselves? I do not state these matters to your lordship but as an answer to the opinions generally current in England, and indeed, too much entertained in the naval service also.

"Ships filled with stones would ruin for ever the anchorage of Aix, and some old vessels of the line well loaded would be excellent for the purpose.

"I hope your lordship will excuse the way in which I have jumbled these thoughts together. My intentions are good, and if they can be of any use, I shall feel happy.

"I have the honour to be, my Lord,

"Your most obedient servant,

"COCHRANE.

"The Right Hon. Lord Mulgrave."

In this hurried letter the reader will readily recognize the principles laid down by me in a former chapter, for the most advantageous mode of warfare, viz. by harassing the enemy on his own coast, and by a perpetual threat of a descent thereon at any moment, to prevent his employing his forces elsewhere.

In place of the advice being even taken in good part, I had afterwards reason to know, that the views briefly expressed in this letter were regarded by the government as an act of impertinence. Yet nothing could be more sound. The French islands captured, and occupied by an adequate force, protected by a few ships, would have kept the enemy's coasts in a constant state of alarm, so that it would have been impossible for the enemy to detach armies to the Spanish peninsula; had this policy been pursued, the Peninsular war, as has been stated in a former chapter, and its millions of National Debt, would never have been heard of. So much does the useful or useless expenditure of war depend on the decision of a cabinet, which can practically know little of the matter.

As it was—the French laughed at the clouds of cruisers intent on watching their coasting trade, which was carried on almost without interruption; our vessels going in shore in the day time, when the French coasters kept close under their batteries, and going off shore in the night, when they pursued their course unmolested. Provisions and stores were thus moved as wanted from one part of the enemy's coast to another with absolute safety. The great number of prizes which had fallen to the lot of the 'Speedy,' 'Pallas,' and 'Impérieuse' was almost solely owing to our working in shore at night, when the enemy's coasters were on the move. In the day time we are usually out of sight of land, with the men fast asleep in their hammocks.

The constant readiness at sea for an enemy who never willingly left port, was, in those days, a great evil, though it was the one point inculcated by the Admiralty. It would have been far more to the purpose to have inculcated the necessity of damaging and alarming the limited seaboard of France, by means of small frigates capable of running in-shore, and to have left the French fleets, whenever they ventured out, to the supervision of squadrons composed of large ships, and specially appointed for the purpose. From the hundreds of ships then in commission, traversing the seas with no advantage to themselves or the country, such an arrangement would have annihilated the commerce, and with it the naval power of France. In place of this, attention to the condition of ships was the most certain way to reward. As the men could not always be employed in exercising guns and furling sails, a system of cleaning and polishing was enforced, till it became positive cruelty to the crews.

If the reader will refer to a previous letter of Lord Collingwood to the Board of Admiralty, he will fully comprehend my meaning. His lordship states that Lord Cochrane's services on the coast of Languedoc in the 'Impérieuse' "kept the French coast in constant alarm, causing a total suspension of trade, and harassing a body of troops employed to oppose him; he has probably prevented those troops, which were intended for Figueras, from advancing into Spain, by giving them employment in the defence of their own coasts." For "Figueras" read "Corunna," and it will be evident, that had the same course been generally pursued on the Atlantic coasts of France, by order, or even under the countenance of the Admiralty, Sir

John Moore would neither have retreated nor fallen ; because, from the occupation which the French army would have found on its own coasts, he could not have encountered one on the Spanish soil.

One of my principal objects in returning to England, as has been said in a former chapter, was to impress upon the government the efficiency of this mode of proceeding on the Atlantic coasts of France, so as to prevent reinforcements from being sent to their army in the Peninsula. The success of the *Impérieuse*, I again repeat, warranted such an application on my part to the Board of Admiralty, in the expectation of being appointed to the command of an expedition to be carried into effect on this principle.

To return from this digression to the *reconnaissance* of the enemy's works on Isle d'Aix.

The opinion which I had expressed to Lord Mulgrave respecting the trifling importance of these works was strengthened on actual inspection ; indeed any opposition which they could have offered was too insignificant for notice, as was afterwards proved when a partial attack took place.

I could not say as much to Lord Gambier, after the opinion he had expressed in his letter to the Admiralty, for this would have amounted to a flat contradiction of his judgment, even though, as was afterwards known, such opinion had been formed on the reports of others, who gave his lordship their surmises as ascertained facts, an assertion which will be hereafter fully demonstrated.

In place, therefore, of officially reporting the result of my *reconnaissance*, I urged upon his lordship not to wait the arrival of the fire-ships from England, but as the fleet had abundance of materials, rather to fit up, as fire-ships and explosion vessels, some transports which happened to be present.

With this request Lord Gambier promptly complied, manifesting his anxious desire that my project should be put in execution without delay. Several vessels were, therefore, chosen for the purpose ; the fire-ships being prepared by the fleet, whilst I worked hard at the explosion vessels, two, at least, of which I determined to conduct personally ; not because I deemed myself more competent to conduct them than others, but because being novel engines of warfare, other officers could not have given that attention to their effect which long deliberation on my part had led me to anticipate, if directed according to the

method on which their efficacy depended; it being certain, even from the novelty of such a mode of attack, that the officers and crews of the line-of-battle ships would be impressed with the idea that every fire-ship was an explosion vessel, and that in place of offering opposition, they would, in all probability, be driven ashore in their attempt to escape from such diabolical engines of warfare, and thus become an easy prey. The creation of this terrorism amongst the enemy's ships was indeed a main feature of the plan, the destruction or intimidation of the guard-boats being secondary, or rather preparatory.

The nature of the explosion vessels will be best understood from the subjoined description of the manner in which one was prepared under my own directions. The floor of the vessel was rendered as firm as possible, by means of logs placed in close contact, into every crevice of which other substances were firmly wedged, so as to afford the greatest amount of resistance to the explosion. On this foundation were placed a large number of spirit and water casks, into which 1500 barrels of powder were emptied. These casks were set on end, and the whole bound round with hempen cables, so as to resemble a gigantic mortar, thus causing the explosion to take an upward course. In addition to the powder casks were placed several hundred shells, and over these again nearly three thousand hand grenades; the whole, by means of wedges and sand, being compressed as nearly as possible into a solid mass.

This was the vessel in which I subsequently led on the attack. A more striking comment on the "red-hot shot," &c., of which Lord Gambier made so much in one of his letters to the Admiralty, could scarcely be found. Of course, had a red-hot shot from the batteries on Aix reached us—and they were not half a mile distant*—nothing could have prevented our being "hoist with our own petard." I can, however, safely say, that such a catastrophe never entered into my calculations, for the simple reason, that from previous employment on the spot, on several occasions, I well knew there was plenty of room in the channel to keep out of the way of red-hot shot from the Aix batteries, even if, by means of blue lights or other devices, they had discovered us.

The explosion vessels were simply naval mines, the effect of

* Admiral Allemand had given instructions to the commandant on the Isle d'Aix to use every precaution in case of the anticipated attack.

which depended quite as much on their novelty as engines of war, as upon their destructiveness. It was calculated that, independently of any mischief they might do, they would cause such an amount of terror, as to induce the enemy to run their ships ashore as the only way to avoid them and save the crews. This expectation was fully answered, but no adequate attack on the part of the British force following up the effect of the explosion vessels, the stranded ships were permitted to heave off, and thus escaped, for the most part, as will be detailed in the succeeding chapter.

CHAPTER XXI.

Press for an attack.—Results of delay.—The French preparations.—French admiral's account.—Insult to the English fleet.—State of preparations.—Start for the attack.—The attack.—The explosion.—Failure of the attack.—Terror of the French.—The French aground.—Apathy of Lord Gambier.—The Aix Roads.—The French fleet permitted to escape.—Drift towards the enemy.—Attack the French fleet.—The Calcutta strikes.—The attack.—Failure of fireships.—Singular incident.—Signal of recall.—Captain Seymour.—Lord Gambier's evasiveness.—Am recalled.—Remonstrate with Lord Gambier.—Am sent home.—Lord Gambier's despatch.—The French despatch.—Destruction of the boom.—The 'Mediator.'

ON the 10th of April, the 'Beagle,' having arrived from England with the fireships in company, I pressed Lord Gambier to permit an attack to be made on the same night; but, notwithstanding that the weather was favourable, his lordship saw fit to refuse. My reason for pressing an immediate attack was, that as the enemy could not remain in ignorance of the character of the newly arrived vessels, they might have less time to make additional preparations for their reception.

Notwithstanding the importance of prompt action in this respect, argument was unavailing. His lordship urged that the fireships might be boarded, and the crews murdered, though there was more danger of this from delay than from attacking unawares. There was in reality no danger; but I urged in vain that it was an essential part of my plan personally to embark in an explosion vessel, *preceding* the fireships, so that in conducting and firing her all risk would fall on myself and the volunteer crew which would accompany me; it not being probable that after the explosion the enemy's guard-boats would board the fireships which might follow, as every one would certainly be taken for a mine similarly charged. Under that

impression, however gallant the enemy, there was little chance of the fireships being boarded.

His lordship replied, that "if I chose to rush on self-destruction that was my own affair, but that it was his duty to take care of the lives of others, and he would not place the crews of the fireships in palpable danger."

To this I rejoined, that there could not be any danger, for the use of explosion-vessels being new to naval warfare, it was unlikely that, after witnessing the effect of the first explosion, the enemy's officers and men would board a single fireship. I further told his lordship that my brother, the Hon. Basil Cochrane, and Lieut. Bissel were on board the '*Impérieuse*' as my guests, and so well satisfied were both of the little danger to be apprehended that they had volunteered to accompany me. Lord Gambier, however, remained firm, and further remonstrance being useless, I had no alternative but to delay, whilst the French, who quickly became aware of the character of the newly arrived vessels, adopted all necessary precautions.*

A most favourable opportunity was thus thrown away. The French Admiral, however, lost no time in turning the delay to account, by altering the positions of his fleet, so as to expose it to the smallest possible amount of danger.

The enemy's ships of the line struck their topmasts, got their topgallant yards on deck, and unbent sails, so as to expose as little inflammable matter aloft as possible; the frigates only being left in sailing trim, ready to act as occasion might require; whilst the boats and launches of the fleet, to the number of seventy-three, were armed and stationed in five divisions for the purpose of boarding and towing off the fireships.†

The French admiral, Allemand, disposed his force in the following manner:—The ten sail of the line, which before the arrival of the fireships had been moored in two lines overlapping

* "Le 10 il arriva 16 batimens, qui me parurent des transports ou brulôts. Je fis dégréer les mâts de perroquets, et caler ceux de hune," &c.—*Vice-Admiral Allemand's Despatch, of the 12th of April.*

† The subjoined was the French force at anchor in Aix Roads:—

SHIPS OF THE LINE: '*L'Océan*,' 120, bearing the flag of Vice-Admiral Allemand; '*Foudroyant*,' 80, bearing the flag of Rear-Admiral Gourdon; '*Cassard*,' 74; '*Tourville*,' 74; '*Regulus*,' 74; '*Patriote*,' 74; '*Jemappes*,' 74; '*Tonnerre*,' 74; '*Aquilon*,' 74; '*Ville de Varsovie*,' 74. Total, 10.

FRIGATES: '*Indienne*,' '*Elbe*,' '*Pallas*,' and '*Hortense*.' Total, 4.

STORESHIP: '*Calcutta*,' 56, armed *en flûte*. This vessel had been a British East Indiaman, captured some time before off St. Helena. Total, 15.

each other, were formed afresh in a double line, nearly north and south; the outer line comprising five, and the inner six ships, including the 'Calcutta;' the inner line being so anchored as to face the openings between the ships of the outer line, the extremity of which was somewhat more than a mile from the batteries on the Isle of Aix. About half a mile in advance of the whole lay the four frigates, and immediately in front of these a boom of extraordinary dimensions. As this boom will form an important feature in the narrative, I subjoin the French admiral's description, first premising that, although there was reason to expect that an obstacle of the kind would have to be encountered, its exact nature was not known till the attack was made.*

"Notre armée étoit sur deux lignes de bataille, endentées, très-serrées, gisant au nord, un quart nord-ouest et sud, un quart sud-est du monde, afin de présenter moins de surface à l'envoi des brûlots.

"Elle étoit flanquée d'une estacade à quatre cents toises au large, qui avoit huit cents toises de long, le bout nord étoit à une encablure et demie des roches de l'île.

"Au coucher du soleil il venoit encore très-gros frais. *Je laissai chaque capitaine libre de sa manœuvre pour la sûreté de son vaisseau.*

"J'envoyai un officier prévenir le général Bronard, commandant à l'île d'Aix, que l'ennemi, par sa manœuvre, annonçoit vouloir profiter du gros vent et de la marée pour entreprendre un *coup de main*. Il me fit dire qu'il l'attendoit de pied ferme, et qu'il répondoit de la terre."—*Vice Admiral Allemand's Despatch of the 12th of April.*

The French, no doubt, considered their position secure against fireships, having no expectation of other means of attack; and so it undoubtedly was, from the protection afforded by the boom, which, from its peculiar construction, could neither be destroyed nor burned by fireships—as well as further defended by the guard-boats, which were judged sufficient to divert the course of such fireships as might drift past the boom. Their fleet was anchored so as to expose the smallest possible front; and what added no little to their sense of security was the delay which had taken place on the part of the British admiral without attack of any kind. On such grounds, therefore, they not unreasonably felt confident that, if the fireships failed, as from the judicious preparations made, Admiral Allemand had

* A better proof of the subsequent untruths uttered by the masters of the fleet and the flagship, as to their pretended knowledge of the soundings in the vicinity of the enemy, could not be afforded, than their ignorance of the existence of this boom, which must from its magnitude have occupied a considerable time in its construction, and laying down the necessary moorings.

every reason to anticipate, no attack on the part of the British fleet would follow. In this belief, on altering their position, the French dressed their fleet with flags, and, by way of contempt for their assailants, hung out the English ensign of the 'Calcutta'—which, as has been said, was a captured English vessel—under her quarter gallery! The peculiar nature of the insult needs not to be explained—to naval men it is the most atrocious imaginable.

The fortifications on Isle d'Aix, alluded to by Admiral Allemand, were, as Lord Gambier had reported to the Admiralty, in his letter of the 11th of March, insignificant, or as his lordship at first expressed it, "no obstacle;" a dozen guns being the utmost number mounted on the batteries commanding the roads, though these were afterwards characterized by his lordship as the "strong works on the Isle of Aix."* The nearest of the batteries on 'Oleron' was out of gunshot, and therefore of no account.

As narratives of the attack on the French fleet in Basque Roads have been often, though in some of the main points incorrectly, written from the contradictory, and in many instances incomprehensible, evidence on the subsequent court-martial, as compared with the no less contradictory despatches of Lord Gambier, I shall in the following account strictly confine myself to what took place under my own personal conduct and observation.†

On the 11th of April, it blew hard with a high sea. As all preparations were complete, I did not consider the state of the weather a justifiable impediment to the attack, to which Lord Gambier had now consented; so that after nightfall, the officers

* Two ships of the line would have been quite sufficient to silence "the batteries on Aix."—*Captain Broughton's Evidence on the Court-Martial.*

† The British force present in Basque Roads was as follows:—

SHIPS OF THE LINE: 'Caledonia,' 120, bearing the flag of Lord Gambier; 'Cæsar,' 80, bearing the flag of Rear Admiral Stopford; 'Gibraltar,' 80; 'Revenge,' 74; 'Donegal,' 74; 'Heron,' 74; 'Illustrious,' 74; 'Valiant,' 74; 'Bellona,' 74; 'Resolution,' 74; 'Theseus,' 74. Total, 11.

FRIGATES: 'Indefatigable,' 'Impérieuse,' 'Aigle,' 'Emerald,' 'Unicorn,' 'Pallas,' and 'Mediator.' Total, 7.

GUNBRIG SLOOPS: 'Beagle,' 'Dotterel,' 'Foxhound,' 'Lyra,' 'Redpole.' Total, 5.

GUN-BRIGS: 'Insolent,' 'Conflict,' 'Contest,' 'Encounter,' 'Fervent,' and 'Growler.' Total, 6.

OTHER VESSELS: 'Whiting,' 'Nimrod,' 'King George,' and 23 fire-ships and explosion vessels. Total, 55.

who volunteered to command the fireships were assembled on board the 'Caledonia,' and supplied with instructions according to the plan previously laid down by myself.

The 'Impérieuse' had proceeded to the edge of the Boyart shoal, close to which she anchored with an explosion vessel made fast to her stern, it being my intention, after firing the one of which I was about to take charge, to return to her for the other, to be employed as circumstances might require. At a short distance from the 'Impérieuse' were anchored the frigates 'Aigle,' 'Unicorn,' and 'Pallas,' for the purpose of receiving the crews of the fireships on their return, as well as to support the boats of the fleet assembled alongside the 'Cæsar' to assist the fireships. The boats of the fleet were not, however, for some reason or other, made use of at all.

The enemy had calculated on the impending attack, and as was afterwards ascertained, by way of precaution against fireships, sent two divisions of their guard-boats, with orders to lie under the boom till two in the morning; but wind and tide being against them, they were compelled to put back, without effecting their orders. Both wind and tide, however, though dead against the French boats, were favourable for the boats of the British fleet, had they been employed as arranged; and they would have been of great use to the less efficient boats of the fireships, some of which, in returning, were nearly swamped.

For want of such assistance, as will presently be seen, most of the fireships were kindled too soon, no doubt to save the men the terrible pull back, against a gale of wind and a high sea.

Having myself embarked on board the largest explosion vessel, accompanied by Lieut. Bissel and a volunteer crew of four men only, we led the way to the attack; the 'Impérieuse' afterwards, in accordance with my instructions, signaling the fireships to "proceed on service."

The night was dark, and as the wind was fair, though blowing hard, we soon neared the estimated position of the advanced French ships, for it was too dark to discern them. Judging our distance, therefore, as well as we could, with regard to the time the fuse was calculated to burn, the crew of four men entered the gig, under the direction of Lieut. Bissel, whilst I kindled the port fires; and then, descending into the boat, urged the men to pull for their lives, which they did with a will, though, as wind and sea were strong against us, without making the progress calculated.

To our consternation, the fuses, which had been constructed to burn fifteen minutes, lasted little more than half that time, when the vessel blew up, filling the air with shells, grenades, and rockets; whilst the downward and lateral force of the explosion raised a solitary mountain of water, from the breaking of which in all directions our little boat narrowly escaped being swamped. In one respect it was, perhaps, fortunate for us that the fuses did not burn the time calculated, as, from the little way we had made against the strong head wind and tide, the rockets and shells from the exploded vessel went over us. Had we been in the line of their descent, at the moment of explosion, our destruction, from the shower of broken shells and other missiles, would have been inevitable.

The explosion vessel did her work well, the effect constituting one of the grandest artificial spectacles imaginable. For a moment, the sky was red with the lurid glare arising from the simultaneous ignition of 1500 barrels of powder. On this gigantic flash subsiding, the air seemed alive with shells, grenades, rockets, and masses of timber, the wreck of the shattered vessel; whilst the water was strewn with spars, shaken out of the enormous boom, on which, according to the subsequent testimony of Captain Proteau, whose frigate lay just within the boom, the vessel had brought up, before she exploded. The sea was convulsed as by an earthquake, rising, as has been said, in a huge wave, on whose crest our boat was lifted like a cork, and as suddenly dropped into a vast trough, out of which, as it closed upon us with a rush of a whirlpool, none expected to emerge. The skill of the boat's crew, however, overcame the threatened danger, which passed away as suddenly as it had arisen, and in a few minutes nothing but a heavy rolling sea had to be encountered, all having again become silence and darkness.

This danger surmounted, we pulled in the direction of the 'Impérieuse,' whose lights could be distinguished at about three miles' distance. On our way we had the satisfaction of seeing two fireships pass over the spot where the boom had been moored. Shortly afterwards we met the 'Mediator' steering in the direction of the enemy, whose ships of the line were now firing towards the spot where the explosion had taken place, and consequently on their own advanced frigates! which, as was afterwards learned, cut their cables, and shifted their berths to a position in the rear of the larger ships.

On reaching the 'Impérieuse,' I found, to my great mortifica-

tion, that the second explosion vessel, which, by my orders, had been made fast to the frigate's stern, had been cut away and thus set adrift: a fireship in flames having come down on her instead of the enemy! The 'Impérieuse' herself had a narrow escape of being burned, and was only saved by veering cable; the fireship which caused the disaster drifting harmlessly away on the Boyart Shoal. This clumsy occurrence completely frustrated the intention with which I had reserved her, viz. for further personal operations amongst the enemy's fleet, now that the first explosion vessel had cleared the way.

Of all the fireships, upwards of twenty in number, *four only reached the enemy's position, and not one did any damage!* The way in which they were managed was grievous. The 'Impérieuse,' as has been said, lay three miles from the enemy, so that the one which was near setting fire to her became useless at the outset; whilst several others were kindled a mile and a half to windward of this, or four miles and a half from the enemy. Of the remainder, many were at once rendered harmless, from being brought to on the wrong tack. Six passed a mile to windward of the French fleet, and one grounded on Oleron. I could scarcely credit my own vision when I saw the way in which they were handled; most of them being fired and abandoned before they were abreast of the vessels anchored as guides.

The fear of the fireships operated strongly enough; but, notwithstanding the actual effect attributed to them by naval historians, they did no damage whatever—a matter of little consequence, had the British fleet, or even a portion thereof, subsequently taken advantage of the panic created amongst the enemy.

As the fireships began to light up the roads, we could observe the enemy's fleet in great confusion. Without doubt, taking every fireship for an explosion vessel, and being deceived as to their distance, not only did the French make no attempt to divert them from their course, but some of their ships cut their cables and were seen drifting away broadside on to the wind and tide—whilst others made sail, as the only alternative to escape from what they evidently considered certain destruction from explosive missiles!

Had the commander-in-chief witnessed this scene, he would never again have deemed such extraordinary precaution on his part requisite to guard against fireships being boarded when

preceded by explosion vessels. In place of becoming the aggressors, as his lordship had anticipated, the only care of the enemy was how to get out of the way, even at the risk of running their ships ashore. Unfortunately the commander-in-chief was with the fleet, fourteen miles distant.

At daylight on the morning of the 12th not a spar of the boom was anywhere visible, and with the exception of the 'Foudroyant' and 'Cassard,' *the whole of the enemy's vessels were helplessly aground.* The former of these ships lying out of the sweep of the tide, and being therefore out of danger from the fireships, appeared not to have cut her cable, and the 'Cassard,' which had at first done so, again brought up about two cables' length from the 'Foudroyant.'

With these exceptions, every vessel of the enemy's fleet was ashore. The flag-ship of Admiral Allemand, 'L'Océan,' three-decker, drawing the most water, lay outermost on the north-west edge of the Palles Shoal, nearest the deep water, where she was most exposed to attack; whilst all, by the fall of the tide, were lying on their bilge, with their bottoms completely exposed to shot, and therefore beyond the possibility of resistance.

The account given by the captain of the 'Indienne,' French frigate, Captain Proteau, of the position of the grounded ships, will not be called in question. It is as follows:—"The 'Indienne' aground on Point Aiguille, near the fort; the 'Palles' off Barques; the 'Elbe' and 'Hortense' on the Fontenelles; the 'Tourville,' 'Patriote,' and 'Tounerre,' as seen from the 'Indienne,' in a line on the Palles Shoal; the 'Calcutta,' 'Regulus,' 'Jemappes' on the extremity of that shoal; the 'Varsovie' and 'Aquilon' aground on Charenton; and the 'Océan,' three-decker, close to the edge of the Palles."

We did not reach the 'Impérieuse' till after midnight. At daylight observing seven of the nearest enemy's ships ashore, amongst which was the admiral's ship 'L'Océan,' and a group of four others lying near her, in a most favourable position for attack, without the possibility of returning it, at 6 A.M. we signalized the admiral to that effect. As the 'Impérieuse' at this time lay just within range of the batteries on Aix, which had commenced to fire upon us, we weighed, and stood in the direction of the fleet, letting go our anchor as soon as the ship was out of range. At 7 A.M. we signalized again, "*All the enemy's ships, except two, are on shore;*" this signal, as well as the former

one, being merely acknowledged by the answering pennant ; but to our surprise, no movement was visible in any part of the fleet indicating an intention to take advantage of the success gained.

Reflecting that, from the distance of the British force from the stranded enemy's ships, viz. from twelve to fourteen miles, the commander-in-chief could not clearly be acquainted with their helpless condition, I directed the signal to be run up, "*The enemy's ships can be destroyed ;*" this also meeting with the same cool acknowledgement of the answering pennant.

Not knowing what to make of such a reply, another signal was hoisted, "*Half the fleet can destroy the enemy.*" This signal was again acknowledged by the answering pennant, the whole fleet still remaining motionless as before. On this I made several telegraph signals, one of which was probably regarded as impertinent, viz. "*The frigates alone can destroy the enemy,*" though it was true enough, their ships aground being perfectly helpless. To my astonishment the answering pennant was still the only reply vouchsafed !

Eight and nine o'clock passed without any indication of movement on the part of the fleet, though the tide was now fast rising, so that any ships sent to the attack of the stranded vessels would have had the flood-tide to go in and the ebb to return, after having accomplished their destruction ; whilst it was evident that if not attacked, the same flood-tide would enable the French ships aground to float and escape, with which view some were heaving their guns and stores overboard. On ascertaining this, I again signalized, "*The enemy is preparing to heave off ;*" and entertaining no doubt that the commander-in-chief would not permit such a catastrophe, the 'Impérieuse' dropped her anchor close to the Boyart Shoal, in readiness for any service that might be required.

As much has been said respecting the alleged narrowness of the channel leading to Aix Roads, by way of excuse for the British fleet not having followed up the advantage gained by the panic created on the previous night, from terror of the explosion vessels, I may here mention, that on our coming to an anchor, a fort on Isle d'Oleron commenced firing shells at us. As not one of these reached us, the French gunners adopted the expedient of loading their mortars to the muzzle, this being evident from the fact that they now discharged them by means of portfires, the men gaining a place of security before the mortars

exploded. Not a shell, even thus fired, reached our position, a clear proof that had the British fleet come to the attack, it could have been in no danger from Oleron, though even these distant batteries were afterwards brought forward as an obstacle, in default of stronger argument.

At 11 A.M. the British fleet weighed, and stood towards Aix Roads. By this time the 'Océan,' three-decker, and nearest ships aground were busily employed in heaving off, with a view of making sail for the Charente!! The advance of our fleet had been too long delayed; nevertheless, as the bulk of the enemy's ships were still aground, good service might have been rendered. To our amazement, the British fleet, after approaching within seven or eight miles of the grounded ships, *again came to anchor about three and a half miles distant from Aix, i. e., just out of range.*

There was no mistaking the admiral's intention in again bringing the fleet to an anchor. Notwithstanding that the enemy had been four hours at our mercy, and to a considerable extent was still so, it was now evident that *no attack was intended,** and that every enemy's ship would be permitted to float away unmolested and unassailed! I frankly admit that this was too much to be endured. The words of Lord Mulgrave rang in my ears, "*The Admiralty is bent on destroying that fleet before it can get out to the West Indies.*"

The motive of Lord Gambier in bringing the ships to an anchor being beyond doubt, I made up my mind, if possible, to force him into action by attacking the enemy with the 'Impérieuse,' whatever might be the consequence. It was, however, a step not to be taken without consideration, and for some time I hesitated to carry out this resolution, in the hope that a portion, at least, of the British fleet would again weigh and stand in.

Noon passed. The 'Océan,' three-decker, had now got afloat, and the group of four others on shore near her, seeing the British fleet anchor, proceeded with additional energy to heave off. From her position the three-decker, lying as she did on the edge of the shoal, nearest the deep water, ought to have been the easiest prize of the whole; for whilst she lay on her bilge, close to the most accessible part of the channel, even a single gunboat

* Lord Gambier afterwards admitted, that as the object of their destruction seemed to be attained, there was no occasion to risk any part of the fleet!!!

might have so riddled her bottom as to have prevented her from floating off with the rising tide!

The surprise of the enemy at seeing the fleet anchor was probably greater than my own. Before that, they had been making great exertions to lighten and heave off, but no sooner had the fleet brought up, than, seeing the possibility of escape, they strained every nerve to hasten the operation.

In place of the fleet, or even the frigates, a single bomb, which, being armed with a 13-inch mortar, could project her shells to a great distance, without being exposed to danger from shot, was ordered in to shell the ships aground. On my asking her commander, "*what attack was going to be made on the enemy by the fleet?*" he replied, that "he knew nothing further than that he was ordered to bombard the ships ashore." This was proof enough that no intention of attacking with the fleet, or any part of it, existed.

In despair, lest the ships still aground should also effect their escape, at 1 P.M. I ordered the anchor of the 'Impérieuse' to be hove atrip, and thus we drifted stern foremost towards the enemy. I say "*drifted*," for I did not venture to make sail, lest the movement might be seen from the flagship, and a signal of recall should defeat my purpose of making an attack with the 'Impérieuse;' the object of this being to *compel* the commander-in-chief to send vessels to our assistance, in which case I knew their captains would at once attack the ships which had not been allowed to heave off and escape.

Had this means not been resorted to, *not a single enemy's ship would have been destroyed*, for all could have hove off almost without damage, and that, to all appearance, without the slightest attempt at molestation on the part of the British fleet. It was better to risk the frigate, or even my commission, than to suffer such a disgraceful termination to the expectations of the Admiralty, after having driven ashore the enemy's fleet; and therefore we drifted by the wind and tide slowly past the fortifications on Isle d'Aix, about which the commander-in-chief had expressed so many fears in his last letter to the Board; but though they fired at us with every gun that could be brought to bear, the distance was too great to inflict damage.

Proceeding thus till 1.30 P.M., and then suddenly making sail after the nearest of the enemy's vessels escaping, at 1.40 P.M. the signal was run up to the peak of the 'Impérieuse,' "*Enemy superior to chasing ship, but inferior to the fleet.*" No attention

being paid to this signal, at 1.45 P.M. I again signalled, "*In want of assistance*," which was true enough, being in a single frigate, close to several enemy's ships of the line.

As this signal according to the code then in use, was coupled with the one signifying "*In distress*," the signal officer on board the flagship thus interpreted it to the commander-in-chief; a circumstance which will require brief explanation.

In order to divert our attention from the vessels we were pursuing, these having thrown their guns overboard, the 'Calcutta,' which was still aground, broadside on, began firing at us. Before proceeding further, it became, therefore, necessary to attack her, and at 1.50 we shortened sail, and returned the fire. At 2 the 'Impérieuse' came to an anchor in five fathoms; and veering to half a cable, kept fast the spring, firing upon the 'Calcutta' with our broadside, and at the same time upon the 'Aquilon' and 'Ville de Varsovie' with our forecastle and bow guns, both these ships being aground stern on, in an opposite direction.

This proceeding—though there could be no doubt of our being "*In want of assistance*," seeing that our single frigate, unaided, was engaging three line-of-battle ships—did not look much like being "*In distress*," as the signal officer of the 'Caledonia' had interpreted the signal; the nature of which could not, however, have deceived the commander-in-chief, who must have witnessed the circumstances under which the signal had been made by the Impérieuse.

After engaging the 'Calcutta' for some time, and simultaneously firing into the sterns of the two grounded line-of-battle ships, we had at length the satisfaction of observing several ships sent to our assistance, viz., 'Emerald,' 'Unicorn,' 'Indefatigable,' 'Valiant,' 'Revenge,' 'Pallas,' and 'Aigle.' On seeing this, the captain and crew of the 'Calcutta' abandoned their vessel, of which the boats of the 'Impérieuse' took possession before the vessels sent to our "assistance" came down.

On the subsequent court-martial, it was declared that the 'Calcutta' did not strike to the 'Impérieuse,' but to the ships sent to her assistance. This was deliberately untrue; as proved beyond question by the fact that the French government ordered a court-martial on the captain of the 'Calcutta,' Lafon, and condemned him to be shot, clearly *for having abandoned his ship to inferior force*. The French did not shoot any of the other captains for abandoning their ships, and would not have shot

Captain Lafon for fighting his vessel as long as he could, and then abandoning her to two line-of-battle ships and five frigates. On the contrary, they would have highly rewarded him, for saving his crew against such odds. There cannot be a stronger proof, if proof in addition to my word be wanted, that Captain Lafon abandoned the 'Calcutta' to the 'Impérieuse,' and not to the line-of-battle ships which came up afterwards, as was subsequently asserted.

On the arrival of the two line-of-battle ships and the frigates, the 'Impérieuse' hailed them to anchor, or they would run aground on the Palles Shoal, on the very edge of which the 'Impérieuse' had taken up her birth. They anchored immediately and commenced firing on the 'Calcutta,' 'Aquilon,' and 'Ville de Varsovie.' On this I signalled the 'Revenge' and others to desist from firing, as the 'Calcutta' had already struck to the 'Impérieuse,' and we had at that time a boat's crew on board her.

On this they desisted, and turned their fire wholly on the other two vessels. At 3.30 P.M. the 'Impérieuse' ceased firing, the crew being thoroughly exhausted by fatigue; whilst I was so much so, as to be almost unable to stand. My reason, however, for ordering the 'Impérieuse' to cease firing was, that the ships sent to our assistance were more than sufficient to destroy the enemy which remained, and had they been sent in time—not to our "*assistance*," but for the more legitimate object of attacking the grounded ships—they would have been abundantly sufficient, had they not been recalled, to have destroyed all those that got away.*

At 5.30 P.M. the 'Aquilon' and 'Ville de Varsovie' struck.

Shortly afterwards, the 'Calcutta' was set on fire, and in half an hour was burning furiously. At 6 P.M. the crew of the 'Tonnerre,' which was not attacked, set fire to her, escaping in their boats. At 7 the 'Tonnerre' blew up, and at 9 the 'Calcutta' also, with an effect, from the large quantity of ammunition on board, almost equalling that of the explosion-vessels the night before. The 'Calcutta' was the storeship of the French fleet.

It has been said, that my having rushed single-handed amongst

* The 'Valiant' line-of-battle ship even signalled to this effect, as appears from the log of the 'Caledonia,' Lord Gambier's flagship. 'Valiant' signalled to flag, "*No doubt five more may be destroyed to-night.*" The reply was a signal of recall.

the enemy's ships, and then hoisted the signal "*In want of assistance*," was unjustifiable, as forcing the commander-in-chief to attack against his judgment. My answer to this is, that the expectations entertained by the Admiralty of destroying the enemy's fleet would not have been in any way carried out, had not this means been adopted; because, as has been said, not a ship belonging to the enemy would have sustained even the slightest damage from the measures of the commander-in-chief.

The fire-ships entrusted to my command had failed, not from any fault of mine, but of those who were entrusted with them. It was, then, a question with me, whether I should disappoint the expectations of my country; be set down as a *charlatan* by the Admiralty, whose hopes had been raised by my plan; have my future prospects destroyed; or force on an action which some had induced an easy commander-in-chief to believe impracticable.

Some proof has been given of the jealousy of a portion of the fleet towards me. Another instance of this occurred even after the two line-of-battle ships and the frigates came down. Perceiving that the shot from two sloops, or rather brigs, ordered to protect the 'Etna' bomb, did not reach the enemy, from the long range at which she had anchored, I made the signal for them to close. As no signal was at hand to express brigs only, to the exclusion of frigates or larger vessels, I endeavoured to explain my meaning that the signal was intended for the brigs, by firing towards them from the main-deck of the 'Impérieuse,' the object of this being to *avoid giving offence* to my senior officers in command of the frigates and line-of-battle ships now present. The signal "*to close*" in the same defective code expressing also "*to close the Admiral*," it was construed by my seniors into an insult to them, as arrogating to myself the position of chief-in-command, which was simply absurd; as, being my seniors, I had no power to order them, nor was I so ignorant of my duty as wantonly to usurp the functions of the commander-in-chief. Yet this at the time gave great offence, though afterwards satisfactorily explained, to Lord Gambier.

I may here mention a singular incident which occurred some time after the 'Aquila' and 'Ville de Varsovie' had struck, and after their officers and crews had been removed on board the British ships. The captain of the 'Aquila' having informed me that he had left his personal effects behind, I volunteered to take him on board in my boat and procure them. As we left

the 'Aquilon' a shot from a heated gun on board one of the vessels to which the French had set fire—the 'Tonnerre,' if I recollect rightly—struck the stern sheets of the boat on which he and I were sitting, and lacerated the lower part of the gallant officer's body so severely that he shortly afterwards expired.

Before daybreak on the following morning the officer of the watch called me, and reported that three lights were hoisted in the squadron outside. This proved to be a signal, afterwards reported to have been made by Admiral Stopford, for the recall of the ships that had been sent in on the previous evening! In obedience to this signal, they, at 4 A.M., got under weigh, having previously kindled the French line-of-battle ships 'Aquilon' and 'Ville de Varsovie;' an act for which there was not the slightest necessity, as they could easily have been got off. Fatigued, and mentally harassed as I was, I had neither time nor opportunity to protest against this wanton destruction; besides which, not knowing that the magazines of the burning ships had been drowned, my attention was directed to the preservation of the 'Impérieuse,' which was in close proximity.

The two ships 'Foudroyant' and 'Cassard,' had cut their cables and made sail, when on the previous evening the British fleet stood towards Aix Roads, but afterwards so unaccountably came to an anchor. On seeing this they shortened sail, but ran aground in the middle of the channel leading to the Charente.

It being clear to me that these ships were not in a fighting condition, I determined, notwithstanding the recall of the British vessels, to remain and attack them; considering the signal of recall to be addressed only to the ships sent to our assistance, which, in obedience to that signal, were working out of the inner anchorage without any attempt to destroy other ships which were clearly at their mercy. As they were passing out I hailed the 'Indefatigable,' and asked the captain if he would go on one quarter of the three-decker ('l'Océan'), whilst the 'Impérieuse' engaged the other? The reply was that "he would not, and that they *were going out to join the fleet.*"

To his infinite credit, Captain Seymour, of the 'Pallas' (the present distinguished admiral, Sir George Seymour), hailed us to know "if he should remain with the 'Impérieuse?'" he being evidently as reluctant as myself to give up advantages so manifest. I replied, that if no orders had been given him to the contrary, I should be obliged to him so to do; whereupon the

'Pallas' anchored, and four brigs, the 'Beagle,' 'Growler,' 'Conflict,' and 'Encounter,' followed her example.

We now commenced clearing the decks for further action, throwing overboard a boat which had been shot to pieces. The carpenters were then set to stop shot holes in the sides and decks, and the seamen to repair the rigging, and shift the foretopmast, which had been shot through. The brave, but unfortunate captain of the 'Calcutta' had, in our short action, inflicted on us an amount of damage which the forts on Aix and Oleron had in vain attempted to effect; neither the one nor the other having once touched us.

Whilst the refitting of the frigate was going on, I ordered our only bomb, the 'Etna,' protected by the brigs, to fire on the enemy's Vice- and Rear-Admiral's ships, as well as on the 'Foudroyant' and 'Cassard,' which, having thrown all overboard, were now pressing sail to get up the Charente, thus taking upon myself to commence the action anew, *after the auxiliary line-of-battle ships and frigates had retired!*

To my regret a signal of recall was immediately hoisted on board the 'Caledonia!' To this I replied by another, "*The enemy can be destroyed;*" of which no notice was taken. Shortly afterwards a boat brought me the following letter from Lord Gambier:—

" 'Caledonia,' 13th of April.

"MY DEAR LORD,—*You have done your part so admirably that I will not suffer you to tarnish it by attempting impossibilities,** which I think, as well as those captains who have come from you, any further effort to destroy those ships would be. You must, therefore, join as soon as you can, with the bombs, &c., as I wish for some information, which you allude to, before I close my despatches.

"Yours, my dear Lord, most sincerely,

"GAMBIER.

"Capt. Lord Cochrane.

"P.S.—I have ordered *three brigs and two rocket-vessels to join you,* with which, and the bomb, you may make an attempt on the ship that is aground on the Palles, or towards Ile Madame, but I do not think you will succeed; and I am anxious that you should come to me, as I wish to send you to England as soon as possible. You must, therefore, come as soon as the tide turns."

I felt deep regret at what must be considered as the evasions

* In spite of this and other declarations arising from acts personally witnessed, though at many miles' distance, yet still within ken of the telescope, Lord Gambier, on his court-martial, stated that "I had done little beyond mischief!!"

of this letter. First, Lord Gambier ordered me to come out of the anchorage and join the fleet! but evidently not choosing to take upon himself the responsibility of ordering me out, in opposition to my own views, he told me he would send some brigs with which I might attack vessels which his own neglect had permitted to escape up the Charente! and thirdly, I was ordered to come out as soon as the tide turned!

As the commander-in-chief's letter was thus indecisive, I chose to construe it as giving me the option of remaining, and returned his lordship the following answer:—

“Impérieuse, 13th April.

“MY LORD,—I have just had the honour to receive your Lordship's letter. We *can* destroy the ships that are on shore, which I hope your Lordship will approve of.

“I have the honour, &c.

“COCHRANE.

“The Right Hon. Lord Gambier.”

At daylight on the 14th the enemy were still in the same condition, but with a number of chasse-marées quietly taking out their stores. Three of them were getting out their guns, evidently in expectation of certain destruction from the small vessels which remained after the line-of-battle ships and heavy frigates were recalled; and, had we been permitted to attack them *even now*, their destruction would have been inevitable.

In place of this the recall signal was once more hoisted on board the ‘Caledonia,’ to which I replied by the interrogatory signal “*Shall we unmoor?*” considering that his lordship would understand the signal as a request to be permitted to resume the attack. I did not repeat the signal that the enemy could be destroyed, because, having conveyed to him by letter my opinion on that subject the day before, I thought a repetition of that opinion unnecessary,—the more so, as, from the enemy heaving overboard their guns, its soundness was more than ever confirmed.

In place of being ordered to attack, as from his lordship's previous letter I had every reason to expect, the recall signal was repeated, and shortly afterwards came the following letter:

“‘Caledonia,’ 13th (14th) April.

“MY DEAR LORD,—It is necessary I should have some communication with you before I close my despatches to the Admiralty. *I have, therefore, ordered Captain Wolfe to relieve you* in the services you are engaged in. I wish you to join me as soon as possible, that you may convey Sir Harry Neale to England, who will be charged with my

despatches, or you may return to carry on the service where you are. I expect two bombs to arrive every moment, they will be useful in it.

"Yours, my dear Lord, most sincerely,

GAMBIER.

"Capt. Lord Cochrane."

Here was a repetition of the same thing. I was ordered away from the attack, to "convey Sir H. Neale to England," or I "might return to carry on the service where I was," viz. after the enemy had got clear off, *and after being formally superseded in the service to which the Board of Admiralty had appointed me, by a senior officer whom I could not again supersede!!!*

There was, however, no evading Lord Gambier's letter this time without positive disobedience to orders, and that was not lightly to be risked, even with the Board's instructions to back me. I therefore returned to the 'Caledonia,' and at once told Lord Gambier that the extraordinary hesitation which had been displayed in attacking ships helplessly on shore, could only have arisen from my being employed in the attack, in preference to senior officers. I begged his lordship, by way of preventing the ill-feeling of the fleet from becoming detrimental to the honour of the service, to set me altogether aside, and send in Admiral Stopford, with the frigates or other vessels, as with regard to him there could be no ill-feeling; further declaring my confidence that from Admiral Stopford's zeal for the service, he would, being backed by his officers, accomplish results more creditable than anything that had yet been done. I apologised for the freedom I used, stating that I took the liberty as a friend, for it would be impossible, as matters stood, to prevent a noise being made in England.

His lordship appeared much displeased; and making no remark, I repeated, "My Lord, you have before desired me to 'speak candidly to you,' and I have now used that freedom."

Lord Gambier then replied, "*If you throw blame upon what has been done, it will appear like arrogantly claiming all the merit to yourself.*"

I assured his lordship that I had no such intention, for that no merit was due, and told him that I had no wish to carry the despatches, or to go to London with Sir Harry Neale on the occasion, my object being alone that which had been entrusted to me by the Admiralty, viz. to destroy the vessels of the enemy.

His lordship, however, cut the matter short by giving me written orders immediately to convey Sir Harry Neale to England

with despatches. In obedience to this order we quitted Basque Roads for Plymouth on the following morning.

These matters are officially on record, and therefore do not admit of dispute. I will not comment further upon them, but will leave them to the judgment of posterity. I will even go further, and acquit Lord Gambier of all blame up to this period, except that of an easy disposition, which yielded to the advice of officers interested in my failure that calm judgment which should characterize a commander-in-chief, and which, had it been exercised, would have rendered, as Napoleon afterwards said, the whole French fleet an easy prey.

As much misrepresentation was made at the time relative to the damage inflicted by the explosion-vessel under my immediate command, and as the same misrepresentation has been adopted by all English historians, it will be necessary particularly to advert to this. As mere assertion on my part may be deemed egotistical, if not partial, I will adduce the testimony of Captain Proteau, who commanded the enemy's frigate 'Indienne,' and was *close to the boom* at the time it was destroyed by the explosion-vessel. The point here alluded to is the statement of the commander of the 'Mediator,' that HIS VESSEL BROKE THE BOOM BY HER WEIGHT!! and Lord Gambier, without any personal knowledge of the fact, was thereby led to endorse his statement.

The captain of the 'Indienne,' on the other hand, states that when the explosion-vessel blew up she was "*at the boom*," or, nautically speaking, "*brought up by the boom*." His words, are "*flottant à l'estacade*."

It will be best, however, to extract the passage entire:—

"Nous distinguâmes, à 9 heures et demie, sous notre boussoir de tribord, un corps *flottant à l'estacade*. L'explosion s'en fit tout-à-coup, et vomit quantité de fusées artificielles, grenades et obus, qui éclatèrent en l'air sans nous faire le moindre mal, cependant nous n'en étions qu'à une demie encâblure."—*Captain Proteau's Journal*.

As the 'Indienne' was only half a cable's length from the boom when the explosion took place, the testimony of her captain on this point ought to be decisive.

Lord Gambier stated in his despatch, and afterwards in his defence, that the explosion-vessel blew up at half-past nine, whilst at three-quarters past nine (*a quarter of an hour later*), the 'Mediator' and other vessels came up, and were fired on by the French ships!

Lord Gambier, being himself more than a dozen miles from

the scene of action, made this statement on the authority of Captain Wooldridge, who commanded the 'Mediator,' and who reiterated in his evidence on the court-martial the statement he had previously made to Lord Gambier, viz. that *his ship*, and not the explosion-vessel, broke the boom: of the truth of which statement the nautical reader shall judge on professional grounds.

Admiral Allemand, who, commanded in Aix Roads, thus describes, in his despatch to the French Government, the boom which had been laid down by his directions:—'*Elle (the French fleet) étoit flanquée d'une estacade à quatre cents toises au large, qui avoit huit cents toises de long.*'

The boom formed two sides of a triangle, with the apex towards the British fleet, thus,—



That is to say, each wing of the boom was more than half a mile long, and the distance between the extremities of the base was nearly a mile. This formidable obstacle was composed of large spars, bound by chains, and moored along its whole double line with heavy anchors at appropriate intervals, forming the most stupendous structure of the kind on record.

The statement of Captain Wooldridge to Lord Gambier, therefore, amounts to this,—that his ship, the 'Mediator,' an Indiaman of 800 tons, broke up a double boom, each side of which was upwards of half a mile in length; tore up, by pressure on one point only, a double line of heavy anchors more than a mile in extent; and snapped many miles of iron chains and lashings connecting the spars together!!!—though her contact could not have been more than a few feet, the collision necessarily taking place on one wing of the boom only. This was Captain Wooldridge's own version to Lord Gambier. To the nautical reader it is unnecessary to write one word of comment; so much so, indeed, that I will not insult the common sense even of the unprofessional reader by any attempt at further explanation.

Yet this statement was made by Captain Wooldridge, not only to Lord Gambier but to the officers composing the subsequent court-martial; more strangely still, it was *accepted by those officers*, though every one present must have known that the 'Mediator' would either have been brought up on her first contact with the boom, or, if she were weighty enough to overcome the obstacle, must have passed over it, by pressing it beneath her bow into the water.

It was not even pretended by those on board the 'Mediator' that any shock was felt! a pretty clear proof that, when she passed over the place where the boom *had been*, no such obstacle existed. That a vessel could have broken up a boom of such magnitude is too absurd for reflection. Nor, had not this version of the matter appeared in every naval history since 1809, should I have deemed a statement so truly incredible worthy of notice.*

Even the explosion-vessel did not break the boom by actual contact. It was the combined effect of the explosion upon the boom and upon the surface of the sea that shook it to pieces. The huge waves caused by the explosion lifted the boom along its entire length, and the strain so loosened the chains which bound the spars together, that the latter floated out of the fastenings, and were carried away with the tide, the chains sinking as a matter of course. It is certain that at daylight the next morning not a vestige of this formidable boom was to be seen; no one pretended to have seen so much as a single spar of it; though, had the 'Mediator' broken through it, as falsely alleged, the whole length of the boom, except the part ruptured, must necessarily have remained at anchor!!

* The 'Mediator's' log, now amongst the Admiralty records, is conclusive on the point. It is carried up to midnight on the 11th, two hours and a half after notifying that the ship was set on fire at 9.30 P.M., but *does not say a word about breaking or even feeling a shock from any boom.*

CHAPTER XXII.

ARRIVAL IN ENGLAND

Intended vote of thanks to Lord Gambier.—Resolve to oppose it.—Interview with Lord Mulgrave.—Lord Gambier demands a court-martial. He is directed to make a fresh report of the action in Basque Roads.—Injustice of this second despatch.—Attempt to entrap me into the position of prosecutor.—Composition and proceedings of the court-martial.—The admiral's points of justification.—Disposed of by Captain Broughton's evidence, and by that of Captains Malcolm, Newcombe, and Seymour.—Sir Harry Neale's evidence stopped by Admiral Young.

On the 26th of April, his Majesty was pleased to confer on me the Knighthood of the Order of the Bath.

Soon after Lord Gambier's arrival in England, Lord Mulgrave informed me that a vote of thanks to the commander-in-chief would be proposed in the House of Commons. Whereupon I told Lord Mulgrave that it was my duty to apprise him that in my capacity as one of the members for Westminster, I would oppose the motion, on the ground that the commander-in-chief had not only done nothing to merit a vote of thanks, but had neglected to destroy the French fleet in Aix Roads, when it was clearly in his power to do so.

Lord Mulgrave entreated me not to persist in this determination, as such a course would not only prove injurious to the government, but highly detrimental to myself, by raising up against me a host of enemies. The public, said his lordship, was satisfied with what had been done, and gave me full credit for my share therein, so that as I should be included in the vote of thanks, the recognition of Lord Gambier's services could do me no harm.

I told his lordship that, speaking as a member of the House of Commons, I did not recognize Lord Gambier's services at all, for that none had been rendered; and as for any thanks to myself, I would rather be without them, feeling conscious that I had not been enabled satisfactorily to carry out the earnest wishes of the Admiralty by the destruction of the enemy's fleet, as impressed on me by his lordship before accepting the command with which I had been entrusted. I nevertheless begged his lordship to consider that in my professional capacity as a naval officer, I neither did offer nor had offered, any

opinion whatever on Lord Gambier's conduct, but that my position as member of Parliament for Westminster forbade my acquiescence in a public misrepresentation.

Lord Mulgrave replied, that I was even now accusing Lord Gambier in my professional capacity; the public would not draw the distinction between my professional and parliamentary conduct. I expressed my regret for the public want of discrimination, but told his lordship that this would not alter my determination.

Soon after this conversation Lord Mulgrave sent for me, and again entreated me, for my own sake, to reconsider my resolution, saying that he had reported our former conversation to the government, which was highly dissatisfied therewith. His lordship further assured me that he was anxious about the matter on my account, as the course intimated would certainly bring me under high displeasure. To this I replied, that the displeasure of the government would not for a moment influence my parliamentary conduct, for which I held myself answerable to my constituents.

His lordship then said, "If you are on service, you cannot be in your place in parliament. Now, my lord, I will make you a proposal. I will put under your orders three frigates, with *carte blanche* to do whatever you please on the enemy's coasts in the Mediterranean. I will further get you permission to go to Sicily, and embark on board your squadron my own regiment, which is stationed there. You know how to make use of such advantages."

I thanked Lord Mulgrave for the offer, at the same time expressing my gratitude for his anxiety to preserve me from the evils of acting contrary to the wishes of the government; but told his lordship that, were I to accept this offer, the country would regard my acquiescence as a bribe to hold my peace, whilst I could not regard it in any other light. Self-respect must, therefore, be my excuse for declining the proposal.

The anxiety of the then government was, no doubt, to convert what had been effected in Aix Roads into political capital, as a victory which merited the thanks of parliament. My tacit acquiescence in the object of government would have subjected me, and rightly, to a total loss of political confidence in the estimation of those with whom I acted. No man with the slightest pretensions to personal honesty or political consistency could, therefore, have decided otherwise than I did, even with

the kind warning of Lord Mulgrave, that evil consequences to myself would follow—a prediction subsequently verified to the letter.

The upshot of the matter was, that on Lord Mulgrave communicating my determination to Lord Gambier, the latter demanded a court-martial.

As soon as my fixed resolution of opposing the vote of thanks became known to the government, the Board of Admiralty directed Lord Gambier to make a *fresh report* of the action in Basque Roads! requiring his lordship to call upon various officers for further reports as to the part they took therein!

Accordingly, on the 10th of May, Lord Gambier forwarded a *new despatch* to the Admiralty, in which my services were altogether passed over!!! notwithstanding that, in Lord Gambier's previous report, he had written as follows:—"I cannot speak in sufficient terms of admiration and applause of the vigorous and gallant attack made by Lord Cochrane upon the French line-of-battle ships which were on shore; as well as of his judicious manner of approaching them, and placing his ship in a position most advantageous to annoy the enemy and preserve his own ship, which could not be exceeded by any feat of valour hitherto achieved by the British navy."

Still more singularly, in the second despatch, which is too long for insertion,* Lord Gambier inadvertently confirms the fact that *no attack on the French fleet would have been made at all*, had it not been for my having commenced an attack with the 'Impérieuse' alone, which movement, as has been said, was executed literally *by stealth*, under the fear that the signal of recall would be hoisted by the commander-in-chief!

It having, for reasons described in a former chapter, become imperative on Lord Gambier to send us assistance, he, nevertheless, construed this into an *intention* on his part to attack the enemy. "*Observing the 'Impérieuse' to advance, and the time of flood nearly done running, the 'Indefatigable,' &c., &c., were ordered to the attack!*" It is not very probable that, had Lord Gambier intended an attack, he would have let the flood-tide go by, without taking advantage of it in a channel which was afterwards declared unsafe for want of water!

* The letter in question will be found at p. 7 of "Minutes of a Court-Martial on Lord Gambier, taken in short-hand by W. B. Gurney," and, as therein stated, revised by his lordship."

This passage alone of Lord Gambier's second despatch ought to have decided the result of any court-martial. The Board of Admiralty would not, however, see anything inculpatory of their former colleague; but, on the 29th of May, ordered me, through their secretary, to become the accuser of the commander-in-chief: "I am commanded by their Lordships to signify their directions that you state fully to me, for their information, the grounds on which your lordship objects to the vote of thanks being moved to Lord Gambier, to the end that their Lordships' objections may be of a nature to justify the suspension of the intended motion in Parliament, or to call for any further information."—(Signed) "W. W. POLE."

This command was manifestly intended to entrap me into the position of Lord Gambier's prosecutor, and was, moreover, an improper interference with my parliamentary capacity, in which alone I had declared my intention to oppose an uncalled-for vote of thanks to the commander-in-chief. I therefore wrote to the Secretary of the Admiralty the subjoined reply.

"Portman Square, 30th May, 1809."

"SIR,—I have to request that you will submit to their Lordships that I shall, at all times, entertain a due sense of the honour they will confer by any directions they may be pleased to give me; that in pursuing the object of these directions, my exertions will invariably go hand in hand with my duty; and that, to satisfy their Lordships' minds in the present instance, I beg leave to state that the log and signal log-books of the fleet in Basque Roads contain all particulars, and furnish premises whence accurate conclusions may be drawn; that, as these books are authentic public documents, and as I cannot myself refer to them, anything I could offer to their Lordships on the subject would be altogether superfluous, and would appear presumptuous interruptions to their Lordships' judgment, which will, doubtless always found itself upon those grounds only that cannot be disputed.

"I have, &c. &c.

"COCHRANE.

"The Hon. W. W. Pole,

"Secretary to the Admiralty."

This reply, though plain, was respectful; but, as I had afterwards good reason to know, was deemed very offensive; the result being that, *after two months' delay* to enable Lord Gambier to get up his defence, a court-martial was assembled on the 26th of July, on board the 'Gladiator,' at Portsmouth, the court being composed of the following members:—

PRESIDENT—Sir Roger Curtis, Port-Admiral.

ADMIRALS—Young, Stanhope, Campbell, Douglas, Duckworth, and Sutton.

CAPTAINS—Irwin, Dickson, Hall, and Dunn.

It may perhaps be asked in what way a court martial on Lord Gambier can so far concern me as to occupy a prominent place in this autobiography? The reply is, that, notwithstanding my repudiation, I was regarded at the court-martial as his accuser, though not permitted to be present so as to cross-examine witnesses; the whole proceeding being conducted in my absence, rather as a prosecution against me than Lord Gambier; and that the result was injurious to myself, as Lord Mulgrave had predicted, involving the punishment of not being employed with my frigate at Flushing, there to put in execution plans for the certain destruction of the French fleet in the Scheldt; so that, in order to punish me, the enemy's fleet was suffered to remain in security, when it might easily have been destroyed.

The reader must not imagine that I am about to inflict on him the evidence of a nine days' trial; but without some extracts therefrom, it is impossible to comprehend the matter. Let him bear in mind that Lord Gambier relied for justification on three points:—1st, That, had he sent the fleet, its safety would have been endangered by the fortifications of Aix (which he had previously spoken of as being dismantled); 2nd, Want of water to navigate the fleet in safety; and 3rdly, From the fire of the enemy's vessels driven ashore (though lightened of their guns and stores).

CAPTAIN BROUGHTON (of the 'Illustrious').—"I was in Basque Roads, in the 'Amelia,' on the 17th of March, and when within gunshot of the Isle d'Aix observed the fortifications as being under repair, from the quantity of rubbish thrown up. I thought the fortifications on the island were not so strong as we supposed, and so reported to Lord Gambier. This was on the 1st of April. I did not notice any furnaces for heating red-hot shot. We were just out of gunshot,—they fired at us from both sides, but none reached us."

In reply to the question, "whether everything was done that could be done to effect the destruction of the enemy's ships?" Captain Broughton said:—

"It would have been more advantageous if the line-of-battle ships, frigates, and small vessels had *gone in at half-flood*, about 11 o'clock. There were *nine sail ashore*, and if the British ships had been ordered in, it would have been more advantageous. There were only *two* of the enemy's ships at anchor, and the *fleet*, had it gone in, would have been exposed to *their* fire; but I conceived they were panic-struck, and on the appearance of a force might have been induced to cut their cables and

escape up the river. A ship or two might have been placed, in my opinion, against the batteries on the southern part of Isle d'Aix so as to take off their fire, and *silence them*. I told Sir Henry Neale, on board the 'Caledonia,' when the signal was made for all captains in the mooring, that '*they were attackable from the confused way in which the French ships were at the time*;' viz. from having run ashore in the night, in order to escape from the fire-ships, which they imagined would explode.

"As the wind was north-westerly and northerly, ships might have found safe anchorage in what is called, in my French chart, le Grand Trousse, where there is thirty or forty feet of water *out of range of shot or shells in any direction*. When we first came into Basque Roads, if the charts were to be believed, *there appeared to be water enough in that position*. I do not know anything of any shoal water. I sounded from the wreck of the *Varsovie* to that anchorage and found no shoal there. Two ships of the line would have been sufficient to have silenced the batteries on Aix, and five or six of the least draught of water to attack the enemy's ships. The discomfited French squadron would have made very little resistance. The loss would have been very little, as few of their ships were in a situation to fight their guns."

Here a distinguished officer shows that two ships could have silenced the batteries; that, in case of damage, there was plenty of water for them to retire to out of reach; and that the French ships, being ashore, could not use their guns.

CAPTAIN PULTENEY MALCOLM (of the 'Donegal').—"I saw the enemy's three-decker on shore. Till about noon she was heeling over considerably, and appeared to me to be *heaving her guns overboard*. She got off about two o'clock; *all the ships got off, except those that were destroyed*. Had it appeared to me that there was no other chance of destroying those ships but by an attack, I CERTAINLY THINK IT OUGHT TO HAVE BEEN MADE. *Had they been attacked by the British ships, in my opinion they could not have been warped off from the shore, as it was necessary so to do, to lay out anchors to heave them off.*"

Question.—"Would you, had you commanded the British fleet, have sent in ships to attack the enemy's ships on shore?"

Answer.—"The moment the two ships quitted their defensive position, the risk was then small, and OF COURSE I WOULD HAVE SENT THEM IN INSTANTLY."

This evidence is pretty decisive, but its plain tendency was attempted to be neutralized by the question whether there would have been *risk of damage*, had the British fleet been sent in to attack the enemy's ships when ashore! The great point of defence throughout was risk to the ships, as though the chief use of ships of war was to save them from injury.

CAPTAIN F. NEWCOMBE (of the 'Beagle').—"Can you state any instance of neglect, misconduct, or inattention in the proceedings of the Commander-in-chief, between the 11th and the 18th?"

Answer.—"None; save and except, had the Commander-in-chief

thought proper, from his situation, TO HAVE SENT IN VESSELS EARLIER THAN THEY WERE SENT, though there might be a great risk in so doing, there was a possibility of annoying the enemy more than they were annoyed."

CAPTAIN GEORGE FRANCIS SEYMOUR (of the 'Pallas').—"I saw the *Impérieuse* inform the Commander-in-chief, by signal, that if allowed to remain he could destroy the enemy: there was every prospect of preventing them from getting off, as it would prevent their carrying out hawsers to heave off by. From what I afterwards saw, I think the ships might have floated in sooner—they might have come in with the last half of the flood-tide."

PRESIDENT.—"How much sooner would that have been than the time they actually did join?"

Answer.—"At eleven o'clock."

Question.—"What time did the line-of-battle ships join?"

Answer.—"Within a short time after two o'clock."

Question.—"Is your opinion formed from information obtained since the 12th of April, or on that day?"

Answer.—"It was formed from the depth of water we found ON GOING ON."

This evidence, coming from an officer of Captain Seymour's character and standing, was so decisive, that it was subjected to a severe cross-examination, of which the subjoined is the substance:—

"It is impossible for me to foretell the event of such an attack, it so much depending on fortuitous circumstances. I cannot say that the line-of-battle ships *should* have gone in; I was not in possession of the Commander-in-chief's information. *I state the fact, and leave the Court to judge.* I mean to say, *there would have been water enough for the line-of-battle ships to have floated in.* As to the opposition they would have met with, the Court has as much before them as I have."

If the reader will refer to Lord Gambier's expression, in his second despatch of the 10th of May (see page 254), it will be evident that no attack whatever was intended; "but observing the '*Impérieuse*' to advance," it became imperative to support her, *i. e.*, when the "*flood-tide had nearly done running.*" This is the true explanation of the British ships having been sent in *at all*. I repeat that the advance of the '*Impérieuse*' thus forced on the little that was done. Had an attack been seriously intended, the time at which the British fleet should have gone in was that pointed out by the preceding officers, *viz.*, when the French ships were aground, and the whole within reach of destruction; instead of when the few, which were unable to get off by any exertions, were assailed. To have rested a case upon the danger to the British fleet from the fire of the ships *ashore*, with their guns thrown overboard to lighten

them, was a course of defence which, for the honour of the British navy, is elsewhere unparalleled.

There is no necessity to adduce further extracts on this head ; and I have purposely refrained from introducing my own evidence ; but the *animus* by which the Court was actuated in the case must not be lightly passed over.

One of the principal witnesses was, as a matter of course, the Captain of the Fleet, Sir Harry Neale. This officer, though thoroughly conversant with both the acts and intentions of the commander-in-chief, was directed by the president openly, *not to state the opinions he had given to Lord Gambier on public services!* By Admiral Young Sir Harry Neale was told to say *nothing but what he was directed to detail!* This would be incredible were it not printed in "Minutes of the Court-Martial, revised by Lord Gambier!"

SIR H. NEALE (Captain of the Fleet).—"There were continued conversations between the Commander-in-chief and me. I have given him my opinion *on different services* ; some of *those* he may have approved, and some he may not have approved."

PRESIDENT.—"I apprehend *these* are not to be stated!"

Yet Sir H. Neale carefully marked the distinction between private conversation and the *public service*, by using the term "different services;" he being evidently ready to tell all he knew as regarded the public service. He was, however, stopped by Admiral Young in one of the strangest injunctions which ever fell from the lips of a judge.

ADMIRAL YOUNG.—"If you are directed *to detail* any circumstances, you are *then* to say all you know of the circumstances you are *directed to detail* ; but if you are asked a specific question, your oath, I imagine, will *only* oblige you to answer SPECIFICALLY and directly, and as fully as you *can the question which is proposed to you!*"

So that Sir Harry Neale was cautioned that, if he was *not* directed to detail circumstances, he was not to relate them, however important they might be ! And if asked only a specific question, he was merely to answer *specifically* ; though the Court could know nothing of the facts, unless they permitted the witnesses to tell the truth, and the whole truth, in the very words of the oath.

But as Sir Harry Neale was known to be a man not likely to be thus peremptorily silenced, half a dozen insignificant questions were, therefore, only put to him by the Court, with the exception of one or two leading questions from Lord Gambier.

CHAPTER XXIII.

LORD GAMBIER'S DESPATCH.

Its omissions and suppressions.—Motive for Lord Gambier's mis-statements.—Mr. Fairfax reports that the 'Mediator' went in fifth, not first.—Reason of the contrary assertion.—Napoleon attributes the escape of his fleet to the imbecility of Lord Gambier.—Mismanagement of the fireships.—Lord Gambier's delay and misdirection.—His perversion of fact.—His misplaced praise.—The despatch fails to satisfy the public.—Criticism by the press.—Admiral Gravière's account of the termination of the action.

THE despatch brought to England by Sir Harry Neale set out with the perversion, that the fire-ships, "arranged according to my plan," were "led on in the most undaunted and determined manner by Captain Wooldridge in the 'Mediator,' *preceded by some vessels filled with powder and shells, as proposed by Lord Cochrane, with a view to explosion!*"

The omission of the fact that before Captain Wooldridge "led the fireships" I had myself preceded them in the explosion vessel, and that, even before the 'Mediator' proceeded on service in obedience to the signals made by my order from the 'Impérieuse,' the explosion vessel under my personal command was half-way towards the French fleet; the suppression of my name as having anything at all to do with the attack by means of the explosion vessels, notwithstanding that by going first I ran all the risk of being boarded by the French guard-boats, and myself and crew murdered, as would have been the case had we been captured, showed that the object of the commander-in-chief was to suppress all mention of me, my plans, or their execution, as entitled to any credit for the mischief done to the enemy.

The despatch leads the reader to infer that the success subsequently obtained arose from the "undaunted and determined manner in which Captain Wooldridge led the fireships," from "Admiral Stopford's zealous co-operation with the boats," though not one of these ever stirred from alongside the 'Cæsar,' anchored full four miles from the scene of action, and from the plans of the commander-in-chief himself.

That this suppression of all mention of the success of my plans in driving the whole enemy's fleet ashore with the exception of two ships of the line, was deliberately intended by the

commander-in-chief, is placed beyond question by the contemptuous manner in which he speaks of the means which really effected the mischief,—“*some vessels filled with powder and shells, with a view to explosion.*” That these means, conducted by myself, not Captain Wooldridge, *did* drive the French ships ashore, has been admitted by every French and English historian since that period; and that this was done by my personal presence and instrumentality is a historical fact which nothing can shake or pervert. The only person ignoring the fact was the commander-in-chief of the British force, who not only gives me no credit for what had been done, but does not even mention my name, as having, by the above means, contributed to the result!

The sole conceivable motive for such a suppression of the success of my plans must have been that, having neglected to take advantage of the helpless condition of the French ships driven ashore, it was desirable to conceal the whole of the facts from the British public, by ascribing the success gained to other, and totally different causes, and thus to convert a deep discredit into a great victory!

The despatch goes on to state that, “the ‘*Mediator*,’ by *breaking the boom!*” opened the way for the fireships, “but, owing to the darkness of the night, several mistook their course and failed.”

At the conclusion of the last chapter, such reasons have, I think, been given why the ‘*Mediator*’ could not have broken a double boom nearly a mile in extent as ought to have set the question for ever at rest. But as that statement, notwithstanding its impossibility, is endorsed by the commander-in-chief as the groundwork of his despatch, it will be necessary to refute his lordship’s statement also, and that from the evidence of an officer upon whose testimony he must necessarily rely, viz. Mr. Fairfax, the master of the fleet, who was deputed in the ‘*Lyra*’ to observe the effect produced by the fireships, and as a matter of course, reported to the commander-in-chief the results of his observations, which were as follows:—

“When the explosion-vessel blew up, she was about two cables’ length from the ‘*Lyra*.’ The ‘*Lyra*,’ as well as the other explosion-vessel, is marked in the chart produced by me. When she blew up, the fire vessels *all* seemed to steer for that point. *I hailed four of them, and the ‘Mediator,’ and desired the ‘Mediator’ to steer south-east, or else she would miss the French fleet.*”—*Minutes*, p. 177.

In another place Mr. Fairfax states that the night was so dark that it was difficult to make out exact positions; but the testi-

mony of Captain Proteau, of the 'Indienne,' that the explosion took place *at the boom*, "*à l'estacade*," is indisputable, as the 'Indienne,' by Captain Proteau's testimony, was lying so close to the boom and the explosion-vessel also, as only to escape the effect of the latter by her shells going over. The spot, therefore, where the explosion took place is historically beyond doubt.

The testimony of Mr. Fairfax, then—and it must be borne in mind that I had no worse enemy in the fleet than that person—is this:—1st, the explosion took place; 2ndly, *all* the fireships steered for the point where it had taken place; 3rdly, Mr. Fairfax hailed *four* of them; 4thly, the 'Mediator' then came up, *steering in a wrong direction*, so that in place of "leading the fireships in the most undaunted and determined manner," as vouched for by the commander-in-chief, the master of the fleet, who was on the spot, vouches that she was the *fifth fireship which came up*, and that had he not set her right in her course she would have "missed the French fleet;" *i. e.* she was behind the other fireships, and *steering outside the boom, which lay in front of the French fleet!*

It would, I think, be superfluous to say another word about this extraordinary story of the boom, nor should I have condescended to notice it at all in connection with the despatch, but that the commander-in-chief makes it the groundwork of his report to the Government, for the unworthy purpose of altogether omitting my name as connected with the explosion-vessels, and for leading the public to infer that these produced *no effect whatever, either on the boom or the French fleet!* which is indeed the main object of the despatch.

It was, however, necessary to give some reason why the French fleet ran ashore; and as it was not considered expedient to give me the credit of causing it to do so by the terror created from the explosion, the commander-in-chief, despite his own judgment as a seaman, appears to have caught at Captain Wooldridge's story of breaking the boom, and other subsequent exploits just as unfounded; though the master of the fleet must have reported that some time after the explosion-vessel had done its work *he fell in with the 'Mediator' steering in a wrong direction, and set her right in her course!!!*

I forbear to speak of having myself encountered the 'Mediator' after passing several other fireships, as that would be assertion only. Of the effect produced, and by what means it was pro-

duced, the subjoined extract from the *Times* newspaper of May 4th, 1809, will furnish some idea, as coming from French sources :—

“Some letters have been received from the French coast, which bear testimony to the destructive result of the late attack on the enemy’s fleet in Basque Roads. ‘Your *infernal machines*,’ says one of the letters, ‘have not only destroyed several of our ships, but they have rendered almost all the remainder unfit to put to sea again. They have proved the destruction of more than 2000 of our people,(?) and *petrified the rest with fear*. The mouth of the Charente river is completely blocked up with wreck.’”*

Yet two days after the departure of the ‘*Impérieuse*,’ the commander-in-chief addressed another despatch to the Admiralty, from which the subjoined is an extract :—

“‘Caledonia,’ April 16, 1809.

“It has blown violently from the southward and westward ever since the departure of the ‘*Impérieuse*,’ which has rendered it *impracticable to act in any way with the small vessels or boats of the fleet* against the enemy. I have the satisfaction to observe this morning, that the enemy have set fire to their frigate ‘*L’Indienne*,’ and that the ship of the line which is aground at the entrance of the river—supposed to be the ‘*Regulus*’—there is every reason to believe will be wrecked.”

The Emperor Napoleon himself is, moreover, an authority on the subject not to be passed over.

“Some conversation now took place about Lord Cochrane, and the attempt which his lordship had made to capture or destroy the ships in the Charente.

“I said it was the opinion of a very distinguished officer, whom I named, and who was well known to him (Napoleon), that if Cochrane had been properly supported, he would have destroyed the whole of the French ships.

“‘He would not only have destroyed them,’ replied Napoleon, ‘but *he might and would have taken them out*, had your admiral supported him as he ought to have done. For, in consequence of the signal made by *L’Allemand*’ (I think he said) ‘to the ships to do the best in their power to save themselves—*sauve qui peut*, in fact—they became panic-struck and cut their cables. The terror of the *brûlots* † was so great, that they actually threw their powder overboard, so that they could have offered very little resistance.’

“‘The French admiral,’ continued Napoleon, ‘was an *imbecile*, but yours was just as bad. I assure you, that if Cochrane had been supported, he would have taken every one of the ships. They ought not

* That is of the boom, for no ship had been wrecked at the mouth of the Charente.

† Napoleon, like other French writers, includes the explosion vessels under the general term *brûlot*.

to have been alarmed by your *brûlots*, but fear deprived them of their senses, and they no longer knew how to act in their own defence.'"—*O'Meara's Napoleon*, vol. ii. p. 291.

Were it worth while, numerous testimonies of the like character could be gathered from French official sources, but it is necessary to mention some other points of the despatch.

The commander-in-chief's assertion, that, "*owing to the darkness of the night, several fireships mistook their course and failed,*" was true enough, but not the *whole truth*, which was, that, from their clumsy management—neither going in the right direction, nor being kindled at the right time or place—not one out of the twenty-three fireships took effect!

The despatch goes on to state, that at daylight Lord Cochrane signaling that seven of the enemy's ships were on shore, and might be destroyed, the commander-in-chief "*immediately*"* ordered the fleet to unmoor and weigh, *intending* to proceed with it to their destruction; but the wind blowing fresh from the northward,† and the flood-tide running,‡ rendered it too hazardous to enter Aix Roads, wherefore the fleet again anchored about three miles from the forts on Isle d'Aix.

This was, indeed, all that the fleet collectively did, or that the commander-in-chief intended to do. Seeing, however, the "*enemy warping off their ships,*" and that, whilst the fleet was unmooring and anchoring again, "*they had succeeded in getting off all but five of the line!*" the commander-in-chief "gave orders to Captain Bligh of the 'Valiant,' with the 'Revenge,' frigates, bombs, &c.,"—to attack those that remained aground? Nothing of the kind, but—"to anchor near the Boyart Shoal, in readiness for an attack!!!" An odd way truly of preventing the five remaining enemy's ships, then throwing their guns overboard for the purpose of lightening themselves, from warping off!!

"At twenty minutes past two, P.M.," continues the commander-in-chief, "Lord Cochrane advanced in the 'Impérieuse,' with his accustomed gallantry and spirit, and opened a well-directed fire on the 'Calcutta,' which *struck her colours to the 'Impérieuse.'*" Lord Gambier afterwards *denied this*, though almost the only part of the action which he was near enough to see with his own eyes! Indeed, the terms of the despatch are

* Four hours afterwards.

† And therefore a fair wind.

‡ Consequently favourable for the fleet to enter Aix Roads.

decisive of having been detailed from his own personal observations !

But now comes the monstrous part of the assertion; viz. "The ships and vessels above-mentioned *soon after* joined in the attack on the 'Ville de Varsovie' and 'Aquilon,' and obliged them to strike their colours," &c. Instead of "*soon after*," the "Valiant,' 'Revenge,' &c., remained at anchor near the Boyart, till my signal, "In want of assistance," had been wrongly interpreted as a signal of "distress." But for this, it is clear that not an anchor would have been weighed. Yet the commander-in-chief made the act of sending in these ships, *when it could no longer be avoided*, appear part of a previous plan to attack the 'Ville de Varsovie' and 'Aquilon,' and that they were sent for this purpose *soon after* my attack on the 'Calcutta' and them simultaneously !

This is not only a perversion of fact, but a suppression of it ; for the commander-in-chief must have seen that the 'Impérieuse,' was engaged with the 'Aquilon' and 'Ville de Varsovie,' as well as with the 'Calcutta,' before the 'Valiant,' 'Revenge,' &c., were ordered in to our assistance, as requested by my signal. And here it must be distinctly understood, that *had not a portion of the fleet been compelled by this justifiable device of my signaling "In want of assistance," to come to our supposed aid, no attack would have been made.* To avert this disgrace, I resolved, if necessary, to sacrifice my ship.

Throughout the whole despatch, there is not a word to indicate that the terror caused by the explosion-vessels had anything to do with the success gained. On the contrary, the success is attributed to causes purely imaginary. Great credit is given to me "for the vigorous and gallant attack on the French line-of-battle ships ashore," and for "my judicious manner of approaching them, and placing my ship in a position most advantageous to annoy the enemy, and *preserve my own ship!* which," continued his lordship, "could not be exceeded by any feat of valour hitherto achieved by the British navy !"

The plain fact is, and it will by this time be evident to others besides nautical men, that the just quoted piece of claptrap was considered in the light of a sop to my supposed vanity, sufficient to insure my holding my peace on the subject of the fleet not having even contemplated an attack till forced into it by my signal being mistaken for being "in distress."

Instead of being praised for what my plans really effected, I

was praised for what was neither done nor intended to be done. Instead of adopting "a judicious manner of approaching the enemy, so as to *preserve my ship*," I drifted the 'Impérieuse' in like a log with the tide, and stern foremost, for fear of being recalled, and then went at the enemy with a determination, not to preserve, but to *lose* my ship, if the commander-in-chief did not relieve her before she was riddled with shot; this being my only hope of forcing on an attack of any kind. My motive was, no doubt, fathomed from seeing me attack three line-of-battle ships simultaneously. Not a moment was to be lost, and for the first time, since the French ran their ships ashore in terror, two British line-of-battle ships, and some frigates, approached the spot where the enemy's vessels had been lying aground *ever since the previous midnight*, helpless, and, as every French authority admits, hopeless of escape, had the slightest effort been made to prevent it.

In place, then, of attacking these with a single frigate, in such a way as to "*preserve my ship*," I here avow that I rushed at the enemy in the bitterness of despair, determined that if a portion of the fleet was not sent in, the 'Impérieuse' should never again float out; for rather than incur the stigma which would have awaited me in England, from no fault of mine, but because it was not expedient that plans which had been partially successful should be fully accomplished, she should have been destroyed.

This despatch, inexplicable as it was felt to be, naturally suggested to the public mind in England, that, despite its assumption of a great victory, the result of the victory was by no means commensurate with the tone of exultation assumed. The French fleet was *not* destroyed; and it was equally manifest, that if but little had been effected, it was owing to the time which had been suffered to elapse between my first signals and the tardy aid reluctantly yielded in support of them. By that kind of intuitive perception characteristic of the British press, it was agreed that there had been mismanagement somewhere, but *where* was not to be gathered from the commander-in-chief's despatch, in which everything "by favour of the Almighty,"* as the despatch most reprehensibly set forth, had succeeded.

* There is something very revolting to a truly religious mind in these derogatory phrases, which couple the beneficent Author of our being with the butcheries of war. Under no circumstances are they defensible. But when the name of the great and merciful Creator is made subservient to an attempt

It is not surprising, then, that the press began to criticise the despatch on its own merits. The following remarks are extracted from a *Times* leading article in the paper of April 25th, 1809, by way of specimen:—

“None felt more joy than ourselves at the destruction of four French vessels in Basque (Aix) Roads. We have, however, been given to understand that there are some people conversant in these things, whose satisfaction is not quite so complete as was our own on the result of the action.

* * * * *

“Lord Cochrane’s first signal, as we learn from the *Gazette*, to the admiral of the fleet, was that ‘seven of the enemy’s ships were on shore, and might be destroyed.’ The question which hereupon naturally suggests itself to the mind is, ‘Why, then, if seven might be destroyed, were there only four?’

“The despatch proceeds. ‘I *immediately* made the signal for the fleet to unmoor and weigh.’ Indeed! Had Admiral Lord Gambier to unmoor at the time he received this intelligence? Did he not expect this might not be the case? Or with what view was Lord Cochrane sent up the Roads? We are not much acquainted with naval matters, and therefore ask for information. To reason by analogy, if a military commander, knowing the enemy to be near, should send forward a detachment to reconnoitre and to attack, if possible, he would at least keep the rest of his troops under arms, that he might be ready to advance at a moment’s warning, and to sustain his own party when necessary.”

* * * * *

The most honest account I have ever seen of the termination of the action, is written by the venerable and gallant Admiral Gravière, who was present at the attack. It will be found in the *Revue des Deux Mondes* for 1858. From this, though incorrect in stating that I commanded a division, I make the subjoined extract, which shall close the subject:—

“Un esprit de vertige semblait s’être emparé, dans cette affreuse nuit, et dans les journées qui suivirent, des plus braves capitaines. Des vaisseaux que l’ennemi n’avait pas même attaqués furent abandonnés par leurs équipages, et des hommes héroïques partagèrent la faiblesse commune.

“*La mollesse de Lord Gambier*, le courage et le sang froid de quelques-uns de nos officiers, préservèrent seuls l’escadre française d’une ruine totale.”

to palm off as a great victory that which, in reality, was a great disgrace even to the human means available, there is something shocking in the perversion of language which should only be uttered with the profoundest reverence, and on occasions in strict coincidence with the attributes of the sacred name invoked. In this case *fireships* had been denounced as horrible and antichristian, yet *explosion vessels*—engines of destruction tenfold more diabolical—had, “by favour of the Almighty, succeeded!”

CHAPTER XXIV.

A NAVAL STUDY FOR ALL TIME.

Charts, &c., supplied by the present government.—Refused by a former government.—Alteration made in the charts.—Mr. Stokes's affidavits.—Letter to Sir John Barrow.—Singular Admiralty minute.—Second letter to Sir John Barrow.—The charts again refused.—My departure for Chili.—Renewed application to the Admiralty.—Kindness of the Duke of Somerset.—Difference of opinion at the Admiralty.

It will be asked, "How is it that the matters recorded in the present chapter are, after the lapse of fifty years, for the first time made public?"

The reply is, that it was not till after the publication of my preceding statement that I have been enabled to place the subject in a comprehensible point of view,* and that only through the high sense of justice manifested by the late and present First Lords of the Admiralty, in furnishing me with charts and logs, access to which was prohibited by former Boards of Admiralty. On several previous occasions the attempt has been made, but from the obstinate refusal of their predecessors to afford me access to documents by which alone truth could be elicited, it has not hitherto been in my power to arrive at any more satisfactory result than that of placing my own personal and unsupported statements in opposition to the sentence of a court-martial.

The necessary materials being now conceded, in such a way as to enable me to prepare them for publication in detail, it is, therefore, for the first time in my power to vindicate myself. A brief recapitulation of former refusals, as well as of the manner in which I became possessed of such documentary testimony as will henceforth exhibit facts in a comprehensive point of view, is desirable, as placing beyond dispute matters which would otherwise be incredible.

My declaration previous to the court-martial—that it was in my capacity as a member of the House of Commons alone that I intended to oppose a vote of thanks to Lord Gambier, on the

* This concession will, in the future narrative, render necessary a slight recapitulation of some matters contained in the previous portion of the book, but not to any appreciable extent.

ground that no service had been rendered worthy of so high an honour—will be fresh in the remembrance of the reader;* and also that when, at the risk of intrenchment on the privilege of Parliament, the Board of Admiralty called upon me officially to accuse his lordship, I referred them to the logs of the fleet for such information relative to the attack in Aix Roads as they might require;†—it nevertheless became evident that I was regarded as his lordship's prosecutor! though, *throughout the trial, excluded from seeing the charts before the Court, hearing the evidence, cross-examining the witnesses, or even listening to the defence!*‡

On the acquittal of Lord Gambier, the ministry did not submit the vote of thanks to Parliament till six months afterwards, viz. in the session of the following year, 1810. To myself, however, the consequences were—as Lord Mulgrave had predicted—immediate; bringing me forthwith under the full weight of ministerial displeasure. The Board of Admiralty prohibited me from joining the 'Impérieuse' in the Scheldt.

The effect of this prohibition in a manner so marked as to be unmistakeable as to its cause, produced on my mind a natural anxiety to lay before the public the reasons for a proceeding so unusual, and, as a first step, I requested of the Board permission to inspect the charts upon which—in *opposition to the evidence of officers present at the attack*—the decision of the court-martial had been made to rest. The request was evaded, both then and afterwards, even though persisted in up to the year 1818, when it was officially *denied* that the original of the most material chart was in the possession of the Admiralty. Even inspection of a *copy admitted to be in their possession* was refused.

An assertion of this nature might be dangerous were not ample proof at hand.

It having come to my knowledge, from certain affidavits filed in the Court of Admiralty by Mr. Stokes, the master of Lord Gambier's flagship, on whose chart the acquittal of Lord Gambier had been based—that *after the lapse of eight years from the court-martial!* material alterations had been made by *permission of the Board itself, and under the direction of one of its officers*—I naturally became suspicious that the charts might otherwise

* See my conversation with Lord Mulgrave, pp. 215, 216.

† See my letter to the Secretary of the Admiralty, p. 255.

‡ See Minutes of Court-martial, p. 228.

have been tampered with ; the more so, as neither at the court-martial, nor at any period subsequent to it, had I ever been allowed to obtain even a sight of the charts in question.

The very circumstances were suspicious. On the application for head-money to the Court of Admiralty in 1817, the Court had refused to receive Mr. Stokes's chart, on account of its palpable incorrectness. On this, Mr. Stokes applied to the Admiralty for permission *to alter his chart!* The permission was granted, and in this altered state it was received by the Court of Admiralty, which, on Mr. Stokes's authority, decreed that the head-money should be given *to the whole fleet*, contrary to the Act of Parliament, *instead of the ships which alone had taken part in the destruction of the enemy's vessels.*

Fearful that material erasures or additions had been made, I once more applied to the Board for permission to *inspect* the alterations. The request was again refused, though my opponents had been permitted to make what alterations and erasures they pleased.

The following are extracts from the above-mentioned affidavits of Mr. Stokes :—

Extract from the affidavit, sworn before the High Court of Admiralty on the 13th of November, 1817, of Thomas Stokes, master of the 'Caledonia,' as to the truth of the MSS. chart, upon which the acquittal of Lord Gambier was based ; *before* the Court of Admiralty rejected his chart, and *before* the alterations were made.

"And this deponent maketh oath that the annexed paper writing marked with the letter A, being a chart of Aix Roads, *is a true copy** made by this deponent of an original French chart found on board the French frigate 'L'Armide' in September, 1806, which *original chart is now in the Hydrographic Office in the Admiralty*, and by comparing the same with the original chart he is enabled to depose, and *does depose that the said chart is correct and true*, and that the soundings therein stated accurately describe the soundings at low water, to the best of his judgment and belief."

Extract from a second affidavit, sworn by Mr. Stokes, before the High Court of Admiralty, on the 17th of April, 1818, *after* the Court had refused to admit his chart from its incorrectness : and *after* the alterations had been made !

"Appeared personally, Thomas Stokes, master in the Royal Navy, and made oath that the original MSS. chart found on board the French frigate 'L'Armide,' and marked A, annexed to his affidavit of the 13th of November, 1817, were delivered at the Hydrographic Office at the

* The original was neither produced at the court-martial nor before the Court of Admiralty. A far greater and more deliberate error will appear in a future chapter.

Admiralty, and this deponent for *greater convenience of reference!* inserted a scale of a nautic mile!! the original manuscript chart having only a scale of French toises; that in inserting a scale of a nautic mile, this deponent *had allowed a thousand French toises to a nautic mile*, and that Mr. Walker, the Assistant-Hydrographer, accordingly made the erasures which now appear on the face of the chart!" &c.

In these affidavits Mr. Stokes first distinctly swore that his chart, copied from a French MS., was *correct*; 2ndly—when detected by the Court of Admiralty—that it was *incorrect*; 3rdly—that the original was *deposited in the Hydrographic Office at the Admiralty*.

My application to Sir John Barrow, then Hydrographer to the Admiralty, was as follows:—

“May 4th, 1818.

“SIR,—As it appears by the affidavit of which I enclose a copy that two charts of Aix Roads, the one stated to be a copy of the other, were deposited in the Hydrographic Office, and that the one *purporting to be the copy* has been delivered up for the purpose of being exhibited as evidence on the part of my opponents in a cause now pending in the High Court of Admiralty, and as it further appears that *an alteration* in the last-mentioned chart was made by Mr. Stokes, and a further alteration by Mr. Walker, Assistant-Hydrographer, I have to request that the Right Honourable the Lords Commissioners will be pleased to permit me to see the other or original chart of Mr. Stokes still remaining at the Hydrographic Office, in order that I may be enabled to judge for myself of the nature and effect of the alterations now acknowledged to have been made on the charts. The reasonableness of this request will, I presume, be manifest to their Lordships, and the more especially, seeing that my opponents *are not only allowed similar access, but have been permitted to withdraw one of the said charts for the purpose of exhibiting it in evidence*, notwithstanding that a variation from the original has been avowedly made therein.

“I have, &c.,

“COCHRANE.

“Sir John Barrow, Hydrographer, &c.”

To this request Sir John Barrow, on the 6th of May, returned the following refusal:—

“As Mr. Stokes's charts have been restored to him, and *a copy* made for the use of the office, I am directed to acquaint your Lordship that my Lords cannot comply with your request in respect *to the original chart*, and as *to the copy* of the chart made in this office and now remaining here, their Lordships *do not feel themselves at liberty to communicate it*.

“I have the honour, &c.

“JOHN BARROW.”

This refusal was accompanied by the following copy of a minute from the Admiralty: in which it was pretended that

Stokes had only *lent* the original chart to the Hydrographer's office, *to be copied for the use of the Hydrographic Department*—though it had been made use of to acquit an admiral, to the rejection of the charts of the fleet, as will presently be seen.

“Mr. Stokes *lent* the original chart to the Hydrographer's office, to be copied for the *use of that department*.

“Mr. Stokes then went abroad.

“On his return he applied for his chart, which being *mis-laid* they gave him the *copy*.

“Stokes, finding the alteration objected to in a court of law, applied about a month since for his own chart, the *original* of which was *restored to him*, copy being made.”—23, 141, 147.

To this singular communication and minute I returned the subjoined reply:—

“13, Henrietta Street, Covent Garden,

“18th May, 1818.

“SIR,—Your letter of the 6th of May was delivered to me as I was going out of town, consequently I had no opportunity of referring to documents which I have since consulted, in order to refute the statements which the Lords of the Admiralty appear to have received.

“You inform me, by command of their Lordships, that ‘it appears by a report from the Hydrographer that Mr. Stokes had become possessed of the original chart which he *lent* to the Hydrographer's office for the use of that department.’ This appears to imply that Mr. Stokes became possessed of the original chart at the time of the attack in the ‘*Charente*’ under Lord Gambier, whereas Mr. Stokes made oath that it was taken from the ‘*Armide*’ in 1806, two years and a half previous to the attack in question. As it does not appear from the Minutes of the court-martial on Lord Gambier that the original chart was then produced, and as it is not now forthcoming in the cause now pending in the Court of Admiralty, I am compelled to disbelieve its existence, or at least to believe that it underwent material alterations after it came into Mr. Stokes's possession. The original ought to have been exhibited with the copy at the trial of Lord Gambier, and both either were or ought to have been filed in the office of the Admiralty with the Minutes of the proceedings; but whether *either* are so filed their Lordships *have not permitted me to ascertain*.

“If the original were filed, it could not afterwards have been ‘*lent* by Mr. Stokes to the Hydrographer's office to be copied for the use of that department.’ Even had the copy only been filed—sworn as it was by Mr. Stokes ‘*to be correct*!’ there could have been no necessity—if Mr. Stokes was deemed worthy of belief—for the Hydrographer to *borrow the original*. Eight years having elapsed since the court-martial on Lord Gambier, you inform me that ‘Mr. Stokes on his return from abroad applied for his chart accordingly, which chart happening to be *mis-laid*, he was furnished *with the copy* in question,’ viz. that ‘made for the use of the Hydrographer's department.’ It is important to observe that *this is completely at variance with the affidavit* of Mr. Stokes, who swears that ‘*he himself made the copy*,’ and that ‘*both the copy and the original were delivered at the Hydrographic Office!*’ It

cannot fail to be observed, that to 'deliver' a chart at the Hydrographic Office, and to 'lend a chart to be copied for the use of the department'—the language of the letter before me—are different expressions, conveying widely different meanings.

"It is also material to observe that it is strange alterations *at all* should have been made on a chart represented to be a *copy* of an *original*, and exhibited as evidence in a court of law. That such original *is not forthcoming* is a very material and a very *suspicious circumstance*. If it be true, or if there really be any other chart than that which is described as a copy and *admitted* to be altered, I may fairly infer that such altered copy differs so materially and so fraudulently from the original, or that the original—so called—is itself so palpable a fabrication, or has so obviously been altered, that Mr. Stokes and his employers *do not dare to exhibit it in a court of law*; and have withdrawn it from the Hydrographer's office for the purpose of suppressing so convincing a proof of the fraud practised on Lord Gambier's trial.

"Exclusive of the glaring contradiction between the statements of Mr. Stokes on the court-martial, and that which you have been commanded to make to me, when it is considered that Mr. Stokes is detected in *having altered* a document which he exhibits in a court of law as a correct copy of an original, and that he is no sooner detected than he endeavours to defend the alteration by declaring that it proceeded from the Hydrographer's office, where the *original was deposited*; and that upon such defence leading to an application for leave to inspect the *original*, answer is made that such original *had merely been borrowed of Mr. Stokes*, and had been returned to him *at his own request*, and that request, too, made in consequence of the alteration in the alleged copy *having been detected*—it is impossible not to infer a juggle between Mr. Stokes, the Hydrographic Office, and others whom I shall not here undertake to name, for the purpose of defeating the ends of justice.

"COCHRANE.

"Sir John Barrow, Hydrographer, &c."

Receiving no reply to this letter, I subsequently addressed the following to the Secretary of the Admiralty.

"9, Bryanstone Street, Portman Square,

"2nd July, 1818.

"SIR,—I feel it proper to inclose to you, as Secretary of the Admiralty, a copy of an affidavit, accompanied by a general outline of the chart of Basque Roads, the originals of which are filed in the High Court of Admiralty, by which their Lordships will clearly perceive that five more ships of the line *might and ought* to have been taken or destroyed, had the enemy been attacked between daybreak and noon on the 12th of April. And I have to request, Sir, that you will have the goodness to lay these documents before their Lordships (as well as the inclosed printed case which they have already partly seen in manuscript), with my respectful and earnest desire that their Lordships may be pleased to cause the facts therein set forth to be verified by comparing them with the original documents, logs, charts, and records in their Lordships' possession. I am the more solicitous that the present Lords Commissioners of the Admiralty should adopt

this mode of proceeding, as it will enable them decisively to judge on a subject of great national importance, and also to ascertain (what a portion of the public know) that it is not by false evidence from amongst the lower class of society alone that my character has been assailed, in order not only to perpetuate the concealment of neglect of duty, but to prevent an exposure of the perjury, forgery, and fraud by which that charge was endeavoured to be refuted.

"I beg, Sir, that you will assure their Lordships on my part, that as a deep sense of public duty alone induced me formerly to express a hope that the thanks of Parliament might not be pressed for the conduct of the affair in Basque Roads, so, in addition to that feeling, which made me disregard every private interest, I have formed a fixed determination never, whilst I exist, to rest satisfied until I expose the baseness and wickedness of the attempts made to destroy my character, which I value more than my life.

"As the affidavits of Captains Robert Kerr and Robert Hockings (which, as well as my own, are filed in the High Court of Admiralty) may immediately be made the subject of indictment in a court of law, and as the proceedings in the Admiralty Court have been put off under the pretence of obtaining further evidence in support of the mis-statements of these officers and the claim of Lord Gambier, I have respectfully to request that when the Lords Commissioners of the Admiralty shall have instituted an inquiry into the logs, charts, and documents, and ascertained the conduct of the before-named officers, they will be pleased to cause public justice to be done in a matter involving the character of the naval service so deeply.

"If, Sir, through their Lordships' means, a fair investigation shall take place, it will be far more gratifying than any other course of proceeding.

"I have the honour to be, &c. &c.,

"COCHRANE.

"John Wilson Croker, Esq., Secretary, &c., Admiralty."

After the above correspondence I gave up, as hopeless, all further attempts to obtain even so much as a sight of the charts, without which any public explanation on my part would have been unintelligible.

In the year 1819—when nearly ruined by law expenses, fines, and deprivation of pay—in despair, moreover, of surmounting the unmerited obloquy which had befallen me in England—I accepted from the Chilian government an invitation to aid in its war of independence; and removed with Lady Cochrane and our family to South America, in the vain hope of finding, amongst strangers, that sympathy which, though interested, might, in some measure, compensate for the persecutions of our native land.* I will not attempt to describe the agonised

* The malice of offended faction pursued me even to this remote part of the globe, in the shape of a "Foreign Enlistment Act" (59th George III., cap. 69).

feelings of this even temporary exile under such circumstances from my country, in whose annals it had been my ambition to secure an honourable position. No language of mine could convey the mental sufferings consequent on finding aspirations—founded on exertions which ought to have justified all my hopes—frustrated by the enmity of an illiberal political faction, which regarded services to the nation as nothing when opposed to the interests of party.

On my return to England, from causes which will appear in the sequel, the subject of the charts was not again officially renewed.

Latterly, however, considering that at my advanced age there was a probability of quitting the world with a stigma attached to my memory of having been the indirect cause of bringing my commander-in-chief to a court-martial—though in reality the charges were made by the Admiralty—I determined to make one more effort to obtain those documents which alone could justify the course I had deemed it my duty to pursue. In the hope that the more enlightened policy of modern times might concede the boon, which a former period of political corruption had denied, I applied to Sir John Pakington, late First Lord of the Admiralty, for permission to inspect such documents relative to the affair of Aix Roads as the Board might possess.

Permission was kindly and promptly granted by Sir John Pakington; but Lord Derby's ministry going out of office before the boon could be rendered available, it became necessary to renew the application to the successor of the Right Honourable Baronet, viz. his Grace the Duke of Somerset, who as promptly complied with the request. The reader may judge of my surprise on discovering, in its proper place, bound up amongst the Naval Records, in the usual official manner, the *very chart the possession of which had been denied by a former Board of Admiralty!*

The Duke of Somerset, moreover, with a consideration for which I feel truly grateful, ordered that whatever copies of charts I might require, should be supplied by the Hydrographic Office; so that, by the kindness of Captain Washington, the

This Act was introduced by the Attorney-General, Sir Samuel Shepherd, for the express purpose of preventing any one from assisting the South American States then at war with Spain; the Act being thus especially levelled at me, though injuriously driven from the service of my own country.

eminent hydrographer to the Board, tracings of the suppressed charts have been made, and are now appended to this volume. His grace further ordered that the logs of Lord Gambier's fleet should be submitted to the inspection of Mr. Earp, with permission to make extracts; an order fully carried out by the courtesy of Mr. Lascelles, of the Record Office, to the extent of the logs in his possession.

It is, therefore, only after the lapse of fifty-one years and in my own eighty-fifth year,—a postponement too late for my peace, but not for my justification,—that I am, from official documents, and proofs deduced from official documents, which were from the first and still are in the possession of the Government, enabled to remove the stigma before alluded to, and to lay before the public such an explanation of the fabricated chart, together with an Admiralty copy of the chart itself, as from that evidence shall place the whole matter beyond the possibility of dispute. It will in the present day be difficult to credit the existence of such practices and evil influences of party spirit in past times as could permit an Administration, even for the purpose of preserving the *prestige* of a Government, to claim as a glorious victory! a neglect of duty which, to use the mildest terms, was both a naval and a national dishonour.

The point which more immediately concerns myself is, however, this:—that the verdict founded on this fabricated chart, together with the subsequent official enmity directed against me in consequence of my determination to oppose the vote of thanks to Lord Gambier, was persevered in year after year, till it reached its climax in the consequences of that subsequent trial which was made the pretext for driving me from the navy, in defiance of remonstrance at the Board of Admiralty itself. I have not long been aware of the latter fact. Admiral Collier has recently informed me that Sir W. J. Hope, then one of the naval lords of the Admiralty, told him that considering the sentence passed against me cruel and vindictive, he refused to sign his name to the decision of the Board by which my name was struck off the Navy List.

CHAPTER XXV.

A NAVAL STUDY CONTINUED.

French hydrographic charts.—One tendered by me to the court.—Rejected by the president.—Grounds for its rejection.—The object of the rejected chart.—Would have proved too much if admitted.—Rejection of other charts tendered by me.—Mr. Stokes's chart.—Its fallacy at first sight.—Judge-Advocate's reasons for adopting it.—Its errors detected by the president, and exposed here.—Probable excuse for the error.—Imaginary shoal on the chart.—Falsification of width of channel.—Lord Gambier's voucher for Stokes's chart.—Stokes's voucher for its worthlessness.—Stokes's chart in a national point of view.—Taken advantage of by the French.

THE charts to which the reader's attention is invited are those alluded to in the last chapter, as having, after the lapse of fifty-one years, been traced for me by Captain Washington, by the order of his Grace the Duke of Somerset. The subject being no longer of personal but of historical interest, there can be no impropriety in laying before the naval service, for its judgment, materials so considerably supplied by the present First Lord of the Admiralty.

CHART A

is a correct tracing of Aix Roads from the *Neptune François*, a set of charts issued by the French Hydrographical Department—bound in a volume, and supplied for the use of the French navy previous to 1809;* copies from the same source being at that period supplied under the auspices of the Board of Admiralty for the use of British ships on the French coasts—these, in fact, forming the only guides available at that period.

Chart A shows a clear entrance of two miles, without shoal or hindrance of any kind, between Isle d'Aix and the Boyart Sand; the soundings close to the latter marking thirty-five feet at low water, with from thirty to forty feet in mid-channel. The chart shows, moreover, a channel leading to a spacious anchorage between the Boyart and Palles Sands, marking clear soundings at low water of from twenty to thirty feet close to either sand, with thirty feet in mid-channel. In this anchorage

* Sets of these charts, bound as described, were found on board the grounded ships captured in the afternoon of the 12th of April, and were therefore available for the purposes of the court-martial, had it been deemed expedient to consult them.

line-of-battle-ships could not only have *float*ed, without danger of grounding, but could have effectively operated against the enemy's fleet, even in its entire state before the attack, wholly out of range of the batteries on Isle d'Aix, as will hereafter be corroborated by the logs and evidence of experienced officers present in the attack, and therefore practically acquainted with the soundings. To a naval eye, it will be apparent that, by gaining this anchorage, it would not at any time have been difficult for the British force to have interposed the enemy's fleet between itself and the fortifications on Isle d'Aix in such a way as completely to neutralize the fire of the latter.

Further inspection of the chart will indicate an inner anchorage, called *Le Grand Trousse*, to which any British vessel disabled by the enemy's ships—two only of which, out of thirteen, remained afloat,—might have retired with safety to an anchorage capable of holding a fleet—the soundings in *Le Grand Trousse* marking from thirty to forty feet at low water. Between these anchorages it will be seen on the chart that there is no shoal, nor any other danger whatever.*

The rise of tide marked on the chart was from ten to twelve feet,† consequently amply sufficient *on a rising tide* for the two-deckers and frigates to have been sent to the attack of the enemy's ships aground on the Palles Shoal, as testified by the evidence of Captains Malcolm and Broughton.‡ The flood-tide making about 7 A.M., gave assurance of abundant depth of water by 11 A.M., which is the time marked in the commander-in-chief's log§ as that of *bringing the British ships to an anchor!* in place of forwarding them to the attack of ships on shore!

This chart was tendered by me to the court, in explanation of my evidence. It was, however, rejected, because I could not

* This anchorage was plainly marked on the French charts supplied to the British ships, as deposed to by the officers present in the action. (See the evidence of Captain Broughton, *Minutes*, p. 222, and that of Captain Newcomb, p. 198). The correctness of the chart furnished by me being thus clearly established in evidence.

† In reality, from eighteen to twenty feet, at spring tides, as appeared from the testimony of various officers, Admiral Stopford amongst others. Even Mr. Stokes marked on his chart a rise of twenty-one feet, so that there was abundance of water for the operation of ships of the largest class. The defence of the Commander-in-chief was, that there was not sufficient water at half-flood to float the ships!

‡ See pp. 305 and 306.

§ Erroneously, according to the logs of the other ships.

produce the French hydrographer to prove its correctness! though copies of a similar chart, as has been said, were furnished to British ships for their guidance! Being thus repudiated, my chart was flung contemptuously under the table, and neither this nor any other *official* chart was afterwards allowed to corroborate the facts subsequently testified by the various officers present in the action, they being imperatively ordered to base their observations on the chart of Mr. Stokes alluded to in the last chapter, as having been—eight years after the court-martial—pronounced by the Court of Admiralty so incorrect as to require material alteration before it could be put in evidence in a court of law! To this point we shall presently come.

A singular circumstance connected with the rejected chart should rather have *secured its reception*, viz., that it was taken by my own hands out of the 'Ville de Varsovie' French line-of-battle ship shortly before she was set fire to, and therefore its authenticity, as having been officially supplied by the French government for the use of that ship, was beyond doubt or question. I also produced two similar charts, on which were marked the places of the enemy's ships aground at daylight on the 12th of April, as observed from the 'Impérieuse,' the only vessel then in proximity. The positions of the grounded vessels are marked on Chart B.

The manner of the rejection by the court—at the suggestion of the judge-advocate—of the chart tendered by me, is worthy of note.

PRESIDENT.—“I think your lordship said just now, that you thought there was water enough for ships of any draught of water?”

LORD COCHRANE.—“Yes.”

PRESIDENT.—“Have you an *authenticated chart*, or any evidence that can be produced to show that there is *actually* such a depth of water?”

LORD COCHRANE (*putting in the charts*).—“It was *actually* from the soundings we had going in, provided the tide does not fall more than twelve feet, which I am not aware of. I studied the chart of Basque Roads for some days before. The rise of the tide, as I understand from that, is from ten to twelve feet. It is so mentioned in the French chart. I have no other means of judging.”*

* This was fully corroborated by Captain Malcolm, when, having said that “there were *no obstacles* to prevent the frigates and some ships of the line from going into Aix Roads,” he was asked by the President, “if he made known to the Commander-in-chief that by keeping close to the Boyart Shoal the ships *might have gone in?*”

The reply was in every way remarkable :—

Judge-Advocate.—"THIS CHART IS NOT EVIDENCE BEFORE THE COURT BECAUSE HIS LORDSHIP CANNOT PROVE ITS CORRECTNESS!!"

PRESIDENT.—No! *It is nothing more than to show upon what grounds his lordship forms his opinion on the rise and fall of the tide!!*"*

It was not put in for any purpose of the kind—for I had expressly said that I had no opinion as to the rise and fall of the tide, except as marked on the French official charts. The object of my putting in those charts was to *show the truth of the whole matter before the court*. The president, however, flung the chart under the table with as much eagerness as the judge-advocate had evinced when objecting to its reception in evidence.†

The object of the chart was in fact to prove, as indeed *was subsequently proved* by the testimony of eminent officers, and *would* have been proved even by the ships' logs had they been consulted, that there was plenty of channel room to keep clear of the batteries on Ile d'Aix, together with abundant depth of water;‡ and that the commander-in-chief, in ordering all the ships to *come to an anchor*, in place of sending a portion § of the

CAPTAIN MALCOLM.—"I do not know that I mentioned this to the Commander-in-chief. THE CHARTS SHOWED IT."—*Minutes*, p. 214. A complete corroboration of the correctness of my charts tendered to but rejected by the Court; though as these had been supplied under the sanction of the Admiralty, it was out of the question to reject them as the basis of evidence, inasmuch as there could be none other of a reliable nature.

* The following extract from my evidence, and the singular remark from Admiral Young, are extracted from the minutes of the court-martial:—

"The Commander-in-chief had the same charts as I was in possession of, and from these I formed my conclusion with respect to the anchorage. In reconnoitring the enemy's fleet, *so near as to induce him to open a fire from almost his whole line*, I reported to the Commander-in-chief the ruinous state of Ile d'Aix, *the inner fortifications being completely blown up and destroyed*. There were only 13 guns mounted."

ADMIRAL YOUNG.—"Will you consider, my Lord Cochrane, before you go on, HOW FAR THIS IS RELEVANT?"!!!—*Minutes*, p. 58.

My assertion of the fact that the Commander-in-chief's charts were identical with my own, as having come from the Admiralty, was considered *irrelevant*, because, had they been put in, or mine not rejected, there could have been no doubt of the result of the court-martial.

† It is a singular circumstance that notwithstanding the chart was flung under the table and rejected by the court, I found it *bound up amongst the Admiralty records*!

‡ The ships which were sent in though too late were untouched by shot or shell. For the depth of water they found on going in, see page 313.

§ My signals were, "*Half the fleet can destroy the enemy*." Then, "*The frigates alone can destroy the enemy*." Yet in his defence Lord Gambier assumed that I had signalled for the fleet at a time when, as he alleged, it could not have floated for want of water?

British ships to the attack of the enemy's vessels aground on the north-west part of the Palles Shoal, on the morning of the 12th of April, had displayed a "*mollesse*"—as it was happily termed by Admiral Gravière—unbecoming the commander-in-chief of a British force, superior in numbers, and having nothing to fear from about a dozen guns on the fortifications of Aix; which, had the ships been sent in along the edge of the Boyart, could have inflicted no material damage, either by shot or shell.*

These were precisely the points which the ministry did not want proved, and which—as will presently be seen—the court was no less anxious to avoid proving. Had the French chart been received in evidence, as it ought to have been—I do not say mine, but those on board the flagship itself, or indeed *any copy* supplied by the Admiralty to the fleet—a vote of thanks to Lord Gambier would have been *impossible*, and with the impossibility would have vanished the Government *prestige* of a great victory gained by their commander-in-chief, under their auspices.†

The French official chart being thus adroitly got rid of by the judge-advocate, the other charts tendered by me to mark the positions of the enemy's ships aground shared the like fate, though not open to the same objection. The exactness of the positions was moreover confirmed by the evidence of Mr. Stokes, the master of the 'Caledonia,' Lord Gambier's flagship; though

* See Captain Malcolm's evidence, page 305. Also Captain Godfrey's, of the 'Etna,' who "*thinks* some of the enemy's shot went over them," (*Minutes*, p. 173,) but admits that not a mast, yard, or even a rope-yarn was touched.

† "I was furnished by Lord Cochrane with a French chart, and considered it a good one."—*Evidence of Captain Newcomb*, p. 199.

"I had for several years been in the possession of official French charts, which, in my previous cruises, had not been found defective, and from those charts I had at all times drawn my conclusions with respect to the depth of water, or other circumstances which related to the navigation on the enemy's coast."

PRESIDENT.—"The coast of the enemy, I suppose you mean?"

LORD COCHRANE.—"I refer to the French coast."

ADMIRAL YOUNG.—"When did you discover that there was this anchorage in deep water?"

LORD COCHRANE.—"I have said that in going in I found the soundings correct, and that, in fact, I had such confidence in the chart, that I had said to Admiral Keates, when we were off there, and to Admiral Thornborough, that *there could be no difficulty in going in there and destroying the enemy's fleet*. I took the chart on board Admiral Thornborough's ship."—See my Letter to Admiral Thornborough.—*Lord Cochrane's Evidence*, p. 305.

his chart, substituted for those in use amongst the British ships, was in direct contradiction to his oral evidence.

The positions, of the ships aground as marked on my charts, were as follows.

The 'Ocean,' three-decker, bearing the flag of Admiral Allemand, and forming a group with three other line-of-battle ships close to her, lay aground on the north-west edge of the Palles Shoal, nearest the deep water, where even a gun-boat, had it been sent whilst they lay on their bilge, could have so perforated their bottoms, that they could not have floated with the rising tide. All were immovably aground, and were therefore incapable of opposition to an attacking force; * whilst each of the group of three lay so much inclined towards each other as to present the appearance of having their yards locked together.† They had, in fact, drifted with the same current, into the same spot, and being nearly of the same draught of water, had grounded close to each other. The one separate was a vessel of less draught than these, and had gone a little further on the shoal.

The correctness of these positions, as marked on my chart, was completely confirmed by Mr. Stokes, master of the flagship, in his oral evidence as subjoined.

QUESTION.—“State the situation of the enemy's fleet on the morning of the 12th of April.”

MR. STOKES.—“At daylight I observed *the whole of the enemy's ships, except two of the line, on shore*. Four of them lay in group, or lay together on the western part of the Palles Shoal. The three-decker ('L'Océan,' flagship) was on the north-west edge of the Palles Shoal, with her broadside flanking the passage; *the north-west point nearest the deep water.*” †—(*Minutes*, page 147.)

This was the truth as to the positions of the grounded ships which escaped; these being referred to in Mr. Stokes's evidence precisely as marked on my rejected chart. That is, his evidence

* “Till about noon, the 'Ocean,' three-decker, was heeling considerably, and appeared to me to be heaving her guns overboard.”—*Captain Malcolm* (*Minutes*, p. 209). She escaped about two o'clock P.M., just before I advanced in the 'Impérieuse, lest all should escape.

† “I think their yards were not locked.”—*Evidence of Mr. Fairfax*, *Minutes*, p. 144. It was, however, so nearly, that Mr. Fairfax, a witness carefully in Lord Gambier's interest, could only think about it. He reluctantly admitted that all lay “*within a ship's length of each other*,” and ships lying aground on their bilge inclined towards each other at an angle of thirty degrees are—if not locked together—completely incapable of resistance.

showed, in corroboration of my chart, *the utter helplessness of an enemy which a British admiral refrained from attacking, though aground!*

The French charts produced by me being thus rejected, those in the possession of the commander-in-chief not produced, and those connected with the fleet not being called for, the court decided to rely upon two charts professedly constructed for the occasion by the master of the 'Caledonia,' Mr. Stokes, and the master of the fleet, Mr. Fairfax, *neither of whom was present in the attack.**

* * * * *

CHART C

was tendered to the court by Mr. Stokes, the master of Lord Gambier's flag-ship 'Caledonia.'

This chart professed to show, and was sworn to by Mr. Stokes as showing, the positions of the enemy's ships aground *on the morning of the 12th of April*, before the 'Ocean' three-decker, together with a group of three outermost ships near her, had been permitted by the delay of the commander-in-chief to warp off and escape. Instead, however, of placing these on his chart as they lay helplessly aground "*nearest the deep water*" as *he had sworn in his evidence*, they were placed in on the other side of the sand, in the positions occupied *after their escape!* and to this Mr. Stokes swore as *their position when first driven ashore!* The 'Ocean' three-decker, and group in particular, which, according to Mr. Stokes's oral evidence, must, as already stated, have been an easy prey to a gunboat had such been sent on the first quarter instead of the last quarter flood, was thus placed on his chart where no vessel could have approached them! †

* It is a remarkable fact that many of the witnesses chiefly relied on by the Commander-in-chief, in confirmation of his having done his duty, *had not been in Aix Roads at all*, and could therefore have no knowledge of anything, except their remaining inactive with the fleet whilst the enemy's ships were warping off. Mr. Stokes was of this number; yet all were questioned on points known only to officers intimately acquainted with Aix Roads, and present at the action. But for the court to adopt *exclusively*, as will presently be seen, a chart constructed by a man who admitted that an important portion had been laid down *from hearsay*, was monstrous; the more so as the official charts would have shown the truth.

† Mr. Stokes, moreover, swore, in his evidence, that the 'Ocean' three-decker lay *on the north-west edge of the Palles Shoal*, and that the group lay on the *western* part of the same shoal, though the latter observation **was**

This falsehood on Mr. Stokes's chart, in opposition to his oral evidence just given, as well as to the evidence of other officers, formed one of the principal grounds of Lord Gambier's acquittal; and it was for this end that the official French charts presented by me for the information of the court were rejected by the judge-advocate.

On the presentation of Mr. Stokes's chart to the court, the subjoined colloquy took place as to the methods adopted in its construction.

MR. BICKNELL.—“Produce a chart or drawing of the anchorage at Ile d'Aix, with the relative positions of the British and French fleets, and other particulars, on and previous to the 12th of April last.”

The Witness produced it.

MR. BICKNELL.—“Did you prepare this drawing, and from what documents, authorities, and observations; and are the several matters delineated therein accurately delineated, to the best of your knowledge and belief?”

MR. STOKES.—“I prepared that *drawing* (Chart C), partly from the knowledge I gained in sounding to the southward of the Palles Shoal, and the anchorage of the Isle of Aix.* *The outlines of the chart are taken from the Neptune François, and the position of the enemy's fleet from Mr. Edward Fairfax, and from the French captain of the “Ville de Varsovie,” and the British fleet from my own observation. The*

incorrect, as the group lay around the ‘Ocean,’ which formed a part of it. On his chart these vessels are placed to the SOUTH-EAST of the shoal, and *the remainder nearly DUE EAST!!* That is, in place of being “*nearest the deep water,*” where they were easily attackable, they were placed on the chart “*farthest from the deep water,*” where they were not attackable. He swore too that they lay with their broadsides “*flanking the passage*” to Aix Roads. On his chart, not one of them “*flanks the passage,*” but all are made to *flank the opposite direction*; so that they could not have fired on any British ship which might have been sent in.

* In his subsequent evidence Mr. Stokes admitted that he had *never sounded there at all* previous to the action!

QUESTION.—“Had you any knowledge of that anchorage previous to the 12th of April?”

MR. STOKES.—“NONE WHATEVER!”—*Minutes*, p. 148.

He swears that everything on his chart is *accurately described*—then, that “the distance between the sands,” which was one of the most important points of the court-martial, *was copied from a French MS.!* the name of whose author he does not think proper to communicate, nor does the court ask him! nor was any MSS. produced in Court. Yet, as master of the Admiral's flagship, Mr. Stokes must have navigated her by the French charts supplied by the Admiralty, though these when tendered by me to the Court had been rejected. The fleet could, in fact, have had no other for its guidance, as no British survey of Aix Roads was in existence. Such charts were surely a better guide in any case than an anonymous MS.

distance between the sands was copied from a French MS. which will be produced, and that *I take it* is correct.

MR. BICKNELL.—“Are the matters and things therein accurately described?”

MR. STOKES.—“They are.”

PRESIDENT (*inspecting Mr. Stokes's chart*).—“There was a large chart you lent me?”

MR. STOKES.—That is the chart I allude to. This chart I produce as containing the *various positions*.”

JUDGE-ADVOCATE (*to the President*).—“THIS CHART IS PRODUCED TO SAVE A GREAT DEAL OF TROUBLE!!” (*Minutes*, pp. 23, 24.)

No doubt—the trouble of confirming the Commander-in-chief's neglect of duty in not following up a manifest advantage, as would have been shown had the court allowed the ‘Neptune François’ *itself* to have been put, in evidence; for it would have shown a clear passage of *two miles* wide, extending beyond reach of shot, instead of the *one mile* passage in Mr. Stokes's “*accurate outlines*” of the French chart, and no shoal where he had marked only twelve feet of water!* That the president should have allowed this to pass, after having himself detected the imposition practised on the court, is a point upon which I will not comment.

Mr. Stokes further admitted his chart to be valueless, as regarded the position of the enemy's fleet ashore, for he said that position was taken “*from Mr. Edward Fairfax and the captain of the ‘Ville de Varsovie,’ and the British fleet from “his own observations.*” That is, he confessed to know nothing but from hearsay as to the position of *the enemy's fleet*, the important object before the court; but only of the position of *the British fleet*, lying at anchor nine miles from the enemy's fleet ashore, a matter with which the court had nothing to do; he being all the time on board the flagship, at that distance. Yet the court insisted on this chart being *exclusively* referred to throughout the court-martial!† It is strange that such a chart should

* Compare charts A and C.

† The President thus dictated to Captain Beresford:—“Captain Beresford *must* say whether the ships are marked on *that* chart (Mr. Stokes's) as they appeared to him.” Captain Beresford took no notice of the order.

Captain Bligh was less independent when asked to vouch for the accuracy of Mr. Stokes's chart. He “*thinks* the enemy's ships, on the morning of the 12th, were as there represented, though Mr. Stokes, in contradiction to his own chart, had sworn *that they were not so marked, but only those that were destroyed!*”

When asked if the ships aground could have annoyed the British ships had they been sent in? Captain Bligh replied, “*I think* they were capable of

have been used at all, when the charts of the fleet were available, but more strange that, when the court saw the two miles passage in the French chart was reduced to little more than *one mile* in Mr. Stokes's chart, he was not even asked the reason why he had not conformed to the scale of the French chart, *to the correctness of the outlines of which he had sworn.*

But the most glaring contradiction of Mr. Stokes's chart is this: he swore to his chart as truly depicting the positions of the 'Ocean' and other grounded ships, as they lay *on the morning of the 12th of April, which was the point before the court*; but being further questioned, reluctantly admitted that he had marked the 'Ocean' as she lay *on the 13th of April, viz. on the following day when an attack was made on her by the bomb vessel!* though he had just sworn to the positions of the ships on the chart as being those *on the morning of the 12th, immediately after having run ashore to escape destruction.*

The fact was, as will be seen on inspection of the chart, that *not one* of the ships under the cognisance of the court is marked on Stokes's chart as they lay on the morning of the 12th, which position, and not that on the 13th, was the subject of inquiry. Though as already said this misrepresentation was detected by the president, the court nevertheless persisted in the exclusive use of Mr. Stokes's chart throughout the trial, in accordance with the suggestion of the judge-advocate, that it was produced to "*save a great deal of trouble.*"

The president thus commented on the manifest contradiction.

PRESIDENT.—"I observe in the chart I had from you the situation of the 'Ocean' particularly is *not marked on the 12th. She is marked on the 13th as advanced up the Charente!*"

MR. STOKES.—"The *only ships* marked on the chart *on the 12th* are those that were destroyed. The reason I marked her on the 13th is, that a particular attack was made on her by the bombs. *I observed her from the mizentop of the Caledonia**, and I also had an observation from an officer, so that I have no doubt her position is put down within a cable's length." (*Minutes*, p. 147.)

annoying the British ships."—*Minutes*, p. 154. He, however, immediately afterwards stated that the ships "were not within reach of the guns of the British squadron."

Captain Kerr "*thinks the situation of the enemy's fleet on the morning of the 12th was marked on Mr. Stokes's chart as nearly as it can be.* There were seven sail-of-the-line ashore, and two afloat."—*Minutes*, p. 166. What had the numbers ashore or afloat to do with their exact position? A palpable evasion of the question was permitted by the court.

* Nine miles off. This answer shows most forcibly the nature of the data on which Mr. Stokes's chart was constructed.

There is something in this evidence almost too repugnant for observation. Mr. Stokes first swore that his chart accurately described the positions of the enemy's ships ashore on the *morning of the 12th*. He then admitted that the most material ship of the enemy's fleet was marked as she lay *on the 13th*!! On this misstatement being detected by the president, he then swore that the only ships marked on the 12th were *those which were destroyed, viz. on the evening and night of the 12th*!—a matter foreign to the subject of inquiry; which was *how the ships lay on the morning of the 12th, and whether Lord Gambier was to blame for refraining from attacking them at that particular time?* So that the positions of the enemy's ships aground on the morning of the 12th, according to Mr. Stokes's own admission, *were not marked on his chart at all!* though he had sworn to this very chart *as giving those positions accurately to the best of his knowledge and belief*; and with the full knowledge that their position on the *morning of the 12th*, when they were helplessly aground, was the point before the court,—not their position *in the evening*, and on the following day after their escape to a spot where the British ships could not have pursued them.

The fact is, Mr. Stokes swore to their positions *after their being warped off in consequence of the British fleet being prematurely brought to an anchor*—as being their positions *previous to their escape!* which was the matter of inquiry before the court, *viz. as to whether the commander-in-chief had not committed a neglect of duty in permitting them to escape by the rising tide, when and before when the British force could have operated with every advantage in its favour.* The court had nothing whatever to inquire about with regard to the ships which were *destroyed*, respecting which there could be no question; the subject of inquiry being whether the escape of the *other ships* run ashore from terror of the explosion vessels on the night of the 11th, and *still ashore* on the morning of the 12th, ought to have been prevented.

Not so much as one of the ships marked on Mr. Stokes's chart formed part of the "group" to which he had sworn, in his oral evidence, as lying on the "western and northernmost edge of the Palles Shoal," *nearest the deep water*, all of which escaped towards the Charente, where he truly enough placed the 'Ocean' three-decker, but as she lay on the 13th instead of the 12th, he having sworn to the truth of his chart as showing her position on the morning of the 12th! It was a desperate

venture, and can only be accounted for by the supposition that, in reality, Mr. Stokes had never seen the chart to which he was swearing. It was no wonder, as proved in the 24th chapter, that Mr. Stokes applied to the Admiralty for permission to *alter his chart* before producing it in a court of law, where it must have fallen under my inspection!

I will indeed so far exonerate Mr. Stokes from a portion of blame, by declaring my belief that he never had looked at the chart to which he had sworn. There is little question in my mind but that this chart had been fabricated under the auspices of Mr. Lavie, Lord Gambier's solicitor, the only hope of success consisting in affirming a false position for the grounded ships; the chart being then given to Stokes for paternity. Had it been otherwise, Stokes could not possibly have sworn to a chart in diametrical opposition to his oral evidence, which truly stated that on the morning of the 12th, the 'Ocean' and group lay on "*the north-west edge of the Palles Shoal, nearest the deep water,*" where they were easily attackable. On his chart they were placed on the *opposite side of the shoal!* where no ship could have got near them.

Lord Gambier no doubt saw the mistake committed by the evidence of his master, and adroitly relieved him from the dilemma, by putting a question of a totally different nature. With this course the court complacently complied, notwithstanding that the president had detected a discrepancy so glaring.

Another material point on Mr. Stokes's chart was his marking *a shoal* between the Boyart and the Palles Sands, where Captain Broughton and others present in the action, who *actually sounded there*, testify in corroboration of the French chart to their being *no shoal whatever*.* Yet Mr. Stokes marks only from twelve to sixteen feet in the deepest part. That this statement was a misrepresentation on the part of Mr. Stokes, is proved by Lord Gambier himself, who, in his defence, says that "Mr. Stokes found on this bar or bank from *fourteen to nineteen feet*. (*Minutes*, p. 134). When closely questioned on the point, Mr. Stokes deposed to these soundings as "*having been reported to him to have been found!*" (*Minutes*, p. 150.) The *Neptune Francois* gives from twenty to thirty feet at low water, which was no doubt correct.

* See p. 305.

But even had there been only nineteen feet of water Mr. Stokes again forgot his chart when he gave *oral* evidence that “the rise of tide in Aix Roads is *twenty-one* feet, which is more than we ever found in Basque Roads.” (*Minutes*, p. 150.) I had put the rise of tide at *twelve feet* only, so that by the oral evidence of Mr. Stokes there was abundance of water for the British force to have operated with full effect.

A still further falsification of the chart was, that it reduced the channel by which the British fleet must have passed to the attack to little more than *a mile* in width, in defiance of the fact that on all the official French charts the minimum distance between the Boyart Sand and the fortifications on Ile d’Aix was nearly *two miles*, and that Admiral Stopford, the second admiral in command, confirmed the correctness of the French charts so far as to admit a width of *a mile and a half*. The object of Mr. Stokes’s statement was to prove the danger to which, in a channel *only a mile wide*, the British ships would have been exposed from the batteries on Ile d’Aix had they been sent to the attack. To this end was the chart no doubt produced, and as narrowing the channel to a mile only—to meet the occasion—gave a colour to this view, his chart was accepted by the court, whilst the French charts which *marked two miles* were rejected.

A yet more flagrant contradiction is—that within pistol shot of the *western* and *north-western* edge of the Palles Shoal, where Mr. Stokes first truly swore “the ‘Ocean’ three-decker and a group of four lay *aground* on the morning of the 12th,” he has placed *the attacking British ships*, where their logs show that they never touched the ground, notwithstanding that they took up their positions on a *falling tide*. If they could float in safety much more could other ships have done so at 11 A.M. on a *rising tide*. How such a manifest discrepancy could have passed without comment from any member of the court-martial, is a point which is not in my power to explain.

Such are some of the leading features of this famous chart, upon which the acquittal of Lord Gambier was made to rest, though the chart was admittedly constructed—not from personal observation, otherwise than from the mizentop of the ‘Caledonia,’ nine miles off—but from unofficial sources—from an anonymous manuscript, and *even from hearsay*!

Yet Lord Gambier did not scruple to introduce this chart for the guidance of the court, in the following terms :

"I have to call the attention of the court to the plan drawn by Lord Cochrane of the position of the enemy's ships as they *lay aground on the morning of the 12th of April*, and to that position marked upon the chart verified by Mr. Stokes; the former laid down from uncertain data, the latter *from angles measured and other observations made on the spot* ;* the difference between the two is too apparent to escape the notice of the court, and the respective merits of these charts will not, I think, admit of a comparison." (*Minutes*, p. 133.)

This statement was made by Lord Gambier in face of the admission previously made by Mr. Stokes, that his observations were taken from the mizentop of the 'Caledonia,' three leagues off—that he had never sounded in Aix Roads—that the soundings were only reported to him, the name of the reporter being omitted—and that he had only marked upon his chart, "*the ships that were destroyed*" on the evening and during the night of the 12th, the destruction, in fact, not being complete till the morning of the 13th.

This contradiction is so important to a right comprehension of what follows, that I will, at the risk of prolixity, bring into one focus Mr. Stokes's admissions as to his *data* for the construction of his chart.

"I prepared that drawing partly from the knowledge I gained in *sounding* to the southward of the Palles Shoal. The outlines of the chart are taken from the *Neptune François* (narrowed from two miles to one !). The positions of the enemy's fleet are from Mr. Fairfax and the captain of the 'Ville de Varsovie.' For the distance between the sands I must refer the court to a chart *which I copied from a French manuscript* !" (*Minutes*, pp. 23, 24.)

For this confused jumble from unauthoritative sources, the French charts were rejected as not being trustworthy, and Lord Gambier did not hesitate to endorse Mr. Stokes's fabrication as being "*from angles measured and other observations taken on the spot* ;" whilst by this act he decried the use of the French charts by which his own fleet had been guided !

Comment, whether on Lord Gambier's statement or on Mr. Stokes's involuntary contradiction thereof in his oral evidence, is superfluous. If such were wanted, it must be sought for in the fact already adduced in the 24th chapter, viz. that in 1817 and 1818, Mr. Stokes, when conscious that his fabrication must become public, and that it might fall into my hands, thought it prudent to make affidavit before the Court of Admiralty that

* See note, p. 284.

this chart, produced at the court-martial nine years before, *was incorrect, and therefore required alteration!!* for which purpose the Admiralty gave him back his chart, though this, as already observed, remains to this day bound up amongst the Admiralty records. The affidavits of Mr. Stokes will be in the remembrance of the reader.

In a national point of view, Mr. Stokes's chart has another and even more important feature. A comparison between the French chart and that produced by Mr. Stokes will show that the latter narrowed the entrance to Aix Roads—which on the French charts is two miles wide—to one mile, and that it filled a space with shoals where scarcely a shoal existed. Of the imaginativeness of Mr. Stokes in this respect, the French Government appears to have taken a very justifiable naval advantage, calculated to deter any British admiral in future from undertaking in Aix Roads offensive operations of any kind.

A chart of the Aix Roads based on a modern French chart has recently been shown me, as on the point of being issued by the Board of Admiralty, on which chart the main channel between Ile d'Aix and the Boyart Sand is laid down according to charts copied from fabricated charts produced on Lord Gambier's court-martial, and not according to the hydrographic charts of the *Neptune François*. The comparatively clear anchorage shown in the new chart is also filled with Mr. Stokes's imaginary shoals! the result being that no British admiral, if guided by the new chart, would trust his ships in Aix Roads, *at all*, though both under Admiral Knowles, and at the attack in 1809, British ships found no difficulty whatever from want of water, or other causes, when once ordered in.

The solution of the matter is not difficult. For the purpose of deterring a future British fleet from entering Aix Roads, the modern French Government appears to have followed the chart of Mr. Stokes in place of their former official chart; and the British Admiralty, having no opportunity of surveying the anchorage in question, has copied this modern French chart; so that in future the fabrications of Mr. Stokes or rather I should say, the ingenuity of Lord Gambier's solicitor, or whoever may have palmed the chart on Mr. Stokes, will form the best possible security to one of the most exposed anchorages on the Atlantic coast of France. Assuredly no British Admiral, with the new chart in his hands—should such be issued—would for a moment think of operating in such an anchorage as is

there laid down, notwithstanding that former British fleets have operated in perfect safety, so far as soundings were concerned.

CHART D

was constructed by Mr. Fairfax, the Master of the Fleet, and was used by the court as confirmatory of Mr. Stokes's chart, agreeing with it, in fact, on nearly every point; a circumstance not at all extraordinary, as in his examination Mr. Stokes first says that "his *marks* arose from the knowledge he gained in sounding in the anchorage of Aix" (*Minutes*, p. 23), whilst Mr. Fairfax swore that he "GAVE MR. STOKES THE MARKS"!!* A fact subsequently proved by Mr. Stokes, who admitted that he had "*never sounded there at all.*" The credibility of either witness may be left to the reader's judgment.

In one respect, the chart of Mr. Fairfax might have been considered by those interested to be an improvement on that of Mr. Stokes. The latter gentleman had narrowed the *two-mile* channel of the French charts to a *little more than a mile*, but the chart of Mr. Fairfax reduces it to a *mile* only!

Mr. Fairfax's chart was introduced to the court with the same flourish as had been that of Mr. Stokes.

MR. FAIRFAX.—"This chart shows the state of the enemy's ships at daylight on the 12th of April. *This chart is correct*, except that the head of the 'Calcutta' is placed by the engraver *too far to the southward*. It should have been about N.W. by compass, and the head of the three-decker 'Ocean' is to the eastward, but *not sufficiently far to the northward by compass.*"

Not much correctness here, but abundance of misrepresentation. Mr. Fairfax is very particular about the positions of the *heads* of the grounded ships, but, like Mr. Stokes, not at all particular to a league or two as to where they lay aground. For instance, he is very sensitive about the position of the 'Ocean's' head, yet the 'Ocean' herself is *not to be found on his chart!!* though the names of other enemy's ships aground, not far from where she had lain before her escape, are given, to mark the care with which the chart had been constructed!

I will not in this place make any further observations upon Mr. Fairfax's chart, this being identical with that of Mr. Stokes.

* I GAVE MR. STOKES THE MARKS!!! and I have all the different angles in my pocket, with the different soundings! (*Mr. Fairfax's Evidence, Minutes*, p. 140.) This evidence is truly wonderful. Yet the court made no comment! and I was excluded from listening to the evidence!

The exposure of the one in the next chapter will serve for the confutation of the other. The reader will, from what has been stated, be able to form a pretty correct idea as to why—in, and subsequently to 1809—inspection of these charts was refused to me. At that period it was in vain that I published explanations, which, without access to the charts, were incomprehensible to the public; my unsupported declarations, as has been said, falling to the ground unheeded, even if they were not the cause of attributing to me malicious motives towards the commander-in-chief, after his acquittal by sentence of a court-martial. But for the consideration of his Grace the Duke of Somerset a stigma must have followed me to the grave. It is now otherwise, and I am content to leave the matter to the judgment of posterity. I must, however, remark, that neither the charts of Mr. Stokes or Mr. Fairfax were shown to me on the court-martial, though shown to nearly every other witness, one—Captain Beresford—being told that he “*must*” base his observations on those charts. Had they been shown to me, I should in an instant have detected their fallacy

CHAPTER XXVI.

A NAVAL STUDY CONTINUED.

The evidence of officers present in Basque Roads.—Admiral Austen’s opinions confirmatory of my statements.—Fallacy of alleged rewards to myself, in place of these persecutions.—Treatment of my eldest son, Lord Cochrane.—Letter from Capt. Hutchinson confirmatory of the enemy’s panic.—A midshipman near taking the flag-ship.—Evidence of Capt. Seymour, conclusive as to neglect, which was the matter to be inquired into, in not sending ships to attack.—Attempt to weather his evidence.—Capt. Malcolm’s evidence confirmatory of Capt. Seymour’s.—Capt. Broughton’s testimony proves the complete panic of the enemy, and the worthlessness of their fortifications.—Lord Gambier declares them efficient on supposition arising from hearsay.—Enemy unable to fight their guns.—The imaginary shoal.—A great point made of it.—Mr. Fairfax’s map.—Lord Gambier on the explosion vessels.—Contradicted by Mr. Fairfax.—Contrast of their respective statements.—Fairfax’s evasions.—His letter to the “*Naval Chronicle*.”—These matters a warning to the service.

THE matters related in the preceding chapter will appear yet more extraordinary when contrasted with, and confirmed by, the evidence of eminent officers present in the action of Aix Roads; that is, of such officers commanding ships as were per-

mitted to give their testimony, for those who were suspected of not approving the commander-in-chief's conduct, *were not summoned to give evidence before the court-martial!* In one instance—that of Captain Maitland, of the ‘Bellerophon,’ whose opinions on the subject had been freely expressed—this gallant officer was ordered to join the squadron in Ireland, so as to render his testimony unavailable.

To a gallant officer still living, Admiral Sir Francis William Austen, K.C.B., who was present in Basque Roads, but, like other eminent officers, *not examined on the court-martial*, I am indebted for a recently-expressed opinion as to the causes why the majority of the enemy's ships were suffered to escape beyond reach of attack, as well as of the persecution which I afterwards underwent, in consequence of my conscientious opposition to a vote of thanks to the commander-in-chief.

The following is an extract from the gallant Admiral's letter:—

“I have lately been reading your book, the ‘Autobiography of a Seaman,’ and cannot resist the desire I feel of stating how much pleasure I derived from its perusal, especially of that part which has reference to the movements of the fleet in the Mediterranean from 1798 to 1800. Having been serving for the greater part of those years on that station, your narrative excited in my mind a vivid recollection of former times—as it were living that part of my life over again.

“With reference to the latter part of the volume which details the proceedings in the attack on the enemy's squadron in the Charente, I wish to say as little as possible which may inculcate the conduct of the commander-in-chief, to whom, as you probably know, I owe a debt of gratitude for his kindness to me.

“But at the same time I cannot but admit that he appears to me to have acted injudiciously. It would have been far better had he moved the squadron to a position just out of reach of the batteries on Isle d'Aix, when he would have been able to see the position of the enemy's ships, and thus have decided for himself whether they could have been attacked without needless risk, and not have been compelled to form his determination entirely on the report of others.*

“Had he done so, it seems probable that he would have seen things in a different point of view, and decided to send in a force sufficient to have captured or destroyed the whole.

“I must, in conscience, declare that I do not think you were properly supported, and that had you been so the result would have been very different. *Much of what occurred I attribute to Lord Gam-*

* Who were more interested in the failure of the action than its success, from the fact previously shown of the ill-feeling manifested towards me in consequence of my being a junior officer temporarily appointed, though against my own will, and after all others had declined the enterprise.

*bier's being influenced by persons about him who would have been ready to sacrifice the honour of their country to the gratification of personal dislike to yourself, and the annoyance they felt at a junior officer being employed in the service.**

"I will only add that I consider your services in the 'Speedy,' 'Pallas,' and 'Impérieuse' will entitle you to the warmest thanks of your country, as well as to the highest honours which have been awarded for similar services. Instead of which, you have in numerous instances been persecuted in the most cruel and unrelenting manner.

"I desire to subscribe myself, with much respect and esteem,

"My dear Lord Dundonald,

"Yours very faithfully,

"FRANCIS W. AUSTEN.

"Admiral the Earl of Dundonald."

If anything could alleviate the remembrance of the bitter persecutions originating with this one-sided court-martial, it is an unsolicited expression of opinion like that of the gallant Admiral Austen, whose name, for evident reasons, was *not* included in the list of those summoned to give testimony on that remarkable occasion. That other gallant officers still living entertain similar sentiments, I make no doubt, for the simple reasons that, as honourable men, it is impossible for them to entertain other opinions. What would have been the result of the court-martial had such testimony as that of Admiral Austen been permitted, may safely be left to public decision.

The gallant Admiral and the naval public at large will perhaps be surprised to learn that my persecutions have not ceased at this day. Despite my restoration to rank and honours, my banner has never been restored to its place in Henry the Seventh's Chapel, the unjust fine inflicted on me in 1814 has never been remitted, nor other rights withheld during my forced expulsion from the navy conceded; the excuse being want of precedent, though with that of the gallant Sir Robert Wilson fresh in the archives of the nation.†

A few words may here be devoted to a point intimately connected with this subject. In several reviews of the first portion of this work, the public has been told of the handsome rewards

* Though I had suggested the plan, after all other suggestions had failed to satisfy the Board of Admiralty.

† This fact, together with the particulars of Sir Robert Wilson's restoration, was obligingly communicated to me by that distinguished patriot Joseph Hume, together with a letter expressive of his surprise that my restoration had not been rendered complete. This letter and the enclosures will be given in another place.

which have been bestowed for my services. The reader will perhaps be scarcely prepared to learn, in answer to such statements, that with the exception of the ordinary good service pension granted for general service in 1844, thirty-five years after the action in Aix Roads, I never in my life received a recompense from my country in any shape, the Order of the Bath alone excepted. For my services in the 'Pallas,' that of destroying three heavily-armed French corvettes at the embouchure of the Garonne, and cutting out the 'Tapageuse'—all performed in one day—not a shilling was awarded to myself, officers, and crew, though in the late war with Russia I have been told that the destruction of a Russian gunboat was scrupulously paid for. For my services on the coast of Catalonia in the 'Imperieuse,' to which Lord Collingwood testified that, single-handed, I had stopped the advance of a French army, not a farthing was conceded, whilst the thanks of Lord Collingwood were the only expressions of the kind ever awarded for what English historians have eulogised even more highly than did his lordship.

For the partial destruction of the enemy's fleet in Aix Roads not a farthing was given to myself, officers, or crew; but nine years afterwards, when told that I might take my share of head-money with the rest of the fleet, I replied by refusing both the offer and the money, on the ground that the ships only which took part in the action had a right to it.

The reader will pardon this brief digression, which has arisen from Admiral Austen's allusions to the persecutions unworthily inflicted on me, and I have chosen the opportunity to set the public right on a subject which has been much misapprehended, to the detriment of myself and family. Neither directly nor indirectly have my services throughout my whole career ever cost the country a *penny* beyond the ordinary pay and the ordinary good service pension to which my rank entitled me; nor did any of my family ever receive a place under government, other than that to which they have risen in the ordinary course of naval promotion.* After this positive assurance on my part,

* My third son is a post-captain, and my youngest a commander in the navy, both having won their rank by services in action. With regard to my eldest son, Lord Cochrane, the public shall judge of the favour shown to him on my account. He was originally placed in the navy, in which he served four years, but was driven from the service by the animosity excited by the imputations against his father. After this he entered the army, in which he

I feel confident that the portion of the press which has expressed an opinion that "I had been amply rewarded for my services," will do me the justice to acknowledge an unintentional error.

Since the receipt of Admiral Austen's letter, I have been favoured with another, from Captain Hutchinson, who, at the time of the action in Aix Roads, was a lieutenant in the 'Valiant,' one of the two line-of-battle ships reluctantly sent to the assistance of the 'Impérieuse,' when engaged single-handed with three of the enemy's ships. Captain Hutchinson was, therefore, in action throughout the whole affair, but, like Admirals Austen and Maitland, *was not summoned to give evidence on the court-martial.*

Captain Hutchinson's letter, whether in point of fact or ability, deserves to be put on record as a proof that when naval officers have the opportunity of speaking their minds on any subject connected with their noble profession, there are few amongst them who will let self-interest outweigh the honour of the service. So complete is the information voluntarily given by Captain Hutchinson, with whom I have not the pleasure of being even personally acquainted, that it might have saved me much of the lengthened critical explanation into which my sense of duty to the naval service, as well as to my own reputation, has compelled me to enter. As a further corroboration

served eighteen years. He was engaged throughout the Canadian rebellion, and subsequently for eight consecutive years in the pestilential climate of China during the war. He there served under Lord Clyde, acted as aide-de-camp to Major-General D'Aguilar, and subsequently as Quartermaster-General. His health having at length broken down under the arduous nature of his duties—he having been, as I have reason to believe, the only officer who remained for so long a period on a station proverbially unhealthy—he was ordered home on sick leave, and had to undergo the unusual mortification of being periodically, and that too at short intervals, ordered to appear before the Medical Board in London. This was actual persecution, nor did it cease till Major-General D'Aguilar himself went to the Horse Guards and remonstrated against such conduct being pursued towards an officer whom he had sent home as being worn out by eight consecutive years' hard duty. On my son's asking for an unattached majority *by purchase*, he was told that his length of service, from 1833 to 1851, was insufficient, notwithstanding that he gave the precedent of earlier promotion in the case of an officer who had married the daughter of the Master-General of the Ordnance, and who got his majority in eleven years. Finding no prospect of promotion, my son sold out, quitting the army as a captain, as the state of his health did not warrant him in returning to his regiment. I adduce this as a specimen of the kind of reward bestowed on me or my family.

of my own proofs, written before the reception of Captain Hutchinson's letter, I can only tell that gallant officer how highly I appreciate it, and shall be surprised if the rest of my brother officers do not form the same judgment.

“Cumberland House, Chilham, Canterbury,
“June 8, 1860.

“MY LORD,—I have read, with very great interest the first volume of your Autobiography, and if the second is not yet published, it is possible that what I have to communicate may be of some service in any further notice you may give of the attack upon the French fleet in Aix Roads. I would not otherwise have taken the liberty of writing merely to express the interest taken in your Memoirs, since I can only entertain *that* in common with every naval officer who has any true love for his profession, and of esteem for those who have so eminently adorned it by their gallantry and skill.

“I was fifth or junior lieutenant of the ‘Valiant,’ on the mortifying occasion above mentioned, and can bear testimony *to the indignation which pervaded the whole fleet in witnessing the total want of enterprise, and even common sense of duty, which then permitted so many of the enemy's ships to escape, when they were entirely at our mercy.*

“I have, however, to mention some circumstances which may throw light upon the mystified despatch of Lord Gambier, which certainly surprised all those who were present. In the first place, Lord Gambier can have given no *positive* orders to Captain Bligh of the ‘Valiant’ to *attack* the French ships which were aground at the time indicated in the despatch, for after we had anchored off the Boyart Shoal, Capt. Bligh, seeing you go in with the ‘Impérieuse’ *unsupported* (after waiting some time, expecting to be *ordered* by the Commander-in-chief to assist you), went in his gig on board the ‘Caledonia’ to *volunteer his services*. Lord Gambier expressed himself greatly obliged, but said some other ship must accompany, upon which Capt. Bligh selected the ‘Revenge,’ from regard for Capt. Kerr, who had been acting for him in the ‘Valiant’ some time before, when he had occasion to go on leave of absence for private affairs.

“We accordingly ran in, as your lordship has detailed, and I have nothing to remark as to what followed but one circumstance, of which your lordship does not appear to have been aware. No doubt you would have observed that on the evening of the 12th the crews of the ‘Ocean’ and two other enemy's line-of-battle ships near her, were evidently *flying from them in a panic, numerous boats from the shore assisting in conveying them from the ships.*

“This was so apparent that our captain, Bligh, went in his gig, with two other captains, as soon as it was dark, to reconnoitre these ships, with a view to take possession of them with boats, if they were deserted.

“These captains returned, however, reporting that they had found them surrounded by boats, &c., and that, consequently, they could not be attacked. In the morning, however, no boats were near them, nor were any persons seen stirring on board them; and it was not till about ten o'clock, I think, that the crews, *finding that we had not*

taken possession, took courage, ventured to return on board their ships, and immediately began to warp them out of our reach.

“Captain Bligh was a man of the firmest nerve I ever knew, and therefore I can only suppose that the boats he saw were still engaged carrying the crews on shore, though I believe it was at least ten o’clock at night when he went to reconnoitre, and I know we were greatly puzzled at the time to account for the presence of these boats. As a proof that these ships *were* totally deserted that night, I need only refer your lordship to the account of Admiral Gravière, quoted by you, where he says, ‘*The panic was so great, that ships which had not even been attacked were abandoned by their crews.*’

“But, my Lord, we heard soon after this disgraceful affair, by means of some French vessel which had been boarded or taken, that such was the case. I do not now perfectly recollect *how* this information reached us, but we had no doubt of the fact at the time, it being only in accordance with our own observations and conjectures. I exceedingly regret that I did not make note of this at the time, but the belief in the fact of the crews having deserted those three ships was so general and undoubted, that it never occurred to me that it might be questioned.

“The report went further, and added one singular circumstance—that there was *one* man who *did* remain when all the remainder of the crews had quitted. This was a quartermaster on board the ‘Ocean,’ who, indignant at the cowardly desertion of the ships, *hid himself*, when the crews were ordered to quit, and this was the salvation of that three-decker and the two other ships, in a very extraordinary way. A little midshipman belonging to one of our smaller vessels (I believe a brig) had been sent in a jolly-boat that night with a message to another ship, and having delivered it, instead of returning immediately to his own vessel, he proposed to his men to go and look at the French ships from which the crews had been seen to fly. His men of course were willing, and they approached cautiously *very near* to the three-decker (the night was very dark) before they could observe any stir on board or around her. They were then suddenly hailed by the quarter-master before mentioned with a loud “*Qui vive!*” Of course the poor little midshipman took it for granted that the ship was occupied by more than that one man, and he hastily retreated, glad to escape capture himself; but had he known the truth, *that little midshipman, with his jolly-boat and four men, might have taken possession of a three-decker and two seventy-fours!*

“This seems more like a story of romance than an actual occurrence, and I greatly regret that I did not then make note of every name and circumstance, which at this distance of time I cannot call to mind, but I have never entertained any doubts as to the facts here detailed, and I have always mentioned them in speaking of that most unsatisfactory affair of Basque Roads. Admiral Gravière’s account is a positive confirmation of what we observed and fully believed as to the abandonment of the ships, and I only wonder that he should not have mentioned the noble conduct of the quarter-master.

“Admiral Gravière, however, would probably not have heard of the approach of the boat, and the quarter-master himself would not perhaps have reflected upon the possible danger the ships were in from the

approach of only *one little boat*; yet if he had not been there to hail that boat, it is more than probable that the little midshipman would have continued cautiously to approach, till he discovered that the ships were entirely deserted, and he would either have ventured to take possession himself, or would certainly have returned to report the circumstance, and a proper force would have been despatched to take advantage of the abandonment, if it had been found to be as he reported.

"It was the supposed abandonment of the ships, indeed, which induced him to approach them at all, and it was this also which induced Capt. Bligh to reconnoitre. These, my Lord, are the only circumstances I had to communicate, and no doubt they will be in some degree interesting, though not wholly satisfactory, from my inability to establish the perfect correctness and truth of them. I *have* not, and never *had*, any doubt myself, though I am by no means inclined to believe cock-and-bull stories. Of one thing I am very certain, that there was a universal conviction, that, but for the ingenious ruse adopted by your lordship of *running in singly with the 'Impérieuse,' and then making a signal of distress, or rather of want of assistance, nothing whatever would have been effected against the French fleet.*

"I remain, my Lord,

"Your very obedient servant,

"CHAS. HUTCHINSON, Capt. R.N.

"The Right Hon. the Earl of Dundonald."

To return to the testimony of eminent officers at the court-martial, by which evidence Admiral Austen and Captain Hutchinson will be pleased to find their disinterested opinions corroborated.

The first evidence adduced shall be that of another distinguished officer, also still living, viz. Admiral Sir George Francis Seymour, K.C.B., G.C.H., who commanded the 'Pallas' frigate at the action in Aix Roads, and remained by me when the line-of-battle ships left the roads on the morning of the 13th of April.*

An attempt was made to stop the evidence of Captain Seymour nearly at its commencement, by Lord Gambier remarking that he had "*no further questions to propose to Captain Seymour*;" who however promptly asked whether he was not "bound by his oath to relate *every circumstance* within his knowledge, respecting the proceedings of the fleet." (*Minutes*, p. 190.)

To this pertinent query the president replied: "If the questions that *are asked you* should not seem to embrace all the circumstances to which it refers, you are still bound to relate them."—(*Minutes*, p. 190.)

* See p. 303.

CAPT. SEYMOUR.—“From what period am I to give my answer?”

PRESIDENT.—“From the time of your being *sent in to attack the enemy*, and your having remained there.”

CAPT. SEYMOUR.—“*Without going back to the 11th?*”

PRESIDENT.—“No! *I take it from your going in on the 12th.*” (*Minutes*, p. 193.)

The president thus authoritatively stopped Captain Seymour from saying a single word relative to the neglect of the commander-in-chief in not having sent ships to the attack before the ‘Ocean’ and group floated away, as the ‘Pallas’ and the other vessels were withheld until *the afternoon of the 12th*. This, however, did not prevent Captain Seymour from taking the course which he had evidently proposed to himself.

CAPT. SEYMOUR.—“I think the ships *might* have floated in sooner; that they might have come in on the last half of the flood-tide.”*

PRESIDENT.—“How much sooner would that have been than the time they actually did go in?”

CAPT. SEYMOUR.—“At eleven o’clock.”

PRESIDENT.—“What time did the line-of-battle ships go in?”

CAPT. SEYMOUR.—“Within a short time after two o’clock.” (*Minutes*, p. 193.)

These three hours made all the difference in the result of the action, and were in fact the point of inquiry before the court. At eleven o’clock the whole fleet came to an anchor in Little Basque Roads, instead of detaching a force to attack the enemy, as Captain Seymour testifies they *might* have done. The French ships were at that time helplessly aground. Seeing the British fleet come to an anchor, the enemy took heart, and strained every nerve to warp off, in which, being unmolested, they succeeded—by throwing their guns and stores overboard—and soon after *one o’clock* had effected their escape.

At *two o’clock*—seeing me go in with the ‘Impérieuse,’ in order to prevent the other ships from escaping also, and rightly appreciating the risk I was running single-handed, the commander-in-chief then, but not till then, reluctantly sent in two line-of-battle ships and some frigates, and this only after repeated signals—the final one necessarily being *in want of assistance*. So that *no attack* was made on the enemy’s ships till after the escape of the ‘Ocean,’ and all those nearest the deep water, though these were most easily attackable; nor would any attack have been made *at all*, but for my last signal. Had Admiral

* Which rose as high as the last quarter of the ebb tide, when two line-of-battle ships were sent in and remained without grounding.

Seymour been permitted to speak to this point, his evidence would have been most conclusive, as the president must have seen when he ordered the witness to speak only as to what occurred *after* he was sent in; that is, after the French ships had escaped, which was the subject of inquiry, about which Admiral Seymour was thus ordered to say nothing!

This forms, in fact, the history of the whole affair; three French ships only being attacked in the afternoon, after all the outermost had been quietly permitted to heave off and escape during the morning, and with a rising tide in favour of the British force. Captain Seymour's highly honourable pertinacity in giving the above important opinion as to what was clearly the duty of the commander-in-chief at *eleven o'clock*, after he had been cautioned by the president not to speak of anything which occurred previous to *two o'clock*, when the 'Pallas' was sent in, will be regarded—as it deserves to be regarded—in the light of truth and honour holding itself superior to power. For the sake of the service no less than for that of Admiral Seymour, I am proud to record this instance in which self-interest weighed nothing in comparison with the interest of the country, and the service which Captain Seymour evidently considered to be at stake.

This reply of Captain Seymour took the Court by surprise, as opening the very point sought to be avoided. This led to the subjoined angry remonstrance from Admiral Young.

ADMIRAL YOUNG.—“The general question is not meant to subject the general conduct of the Commander-in-chief to the opinions of all the officers serving under his command. If you think the two ships ('Revenge' and 'Valiant') not going in so early as you think they might have floated to be an instance of neglect, it is your duty to state it, that we may *inquire into it*, and hear *any other evidence* upon it.”

The tendency and peculiarity of this remark to Captain Seymour is worthy of note. It more than insinuates that he was incapable of forming a correct judgment, and plainly tells him that his evidence will go for nothing, but “*to hear any other evidence*” upon it. A perusal of the minutes of the court-martial will show the meaning of this expression, viz. that when any officer in command spoke his mind on the subject, the next witness was a master or other inferior officer *to contradict his evidence*. For this purpose masters and others were recalled over and over again—which is one of the most curious features of the court-martial.

Captain Seymour had said nothing about the *two ships*, but that *the ships*—meaning the British line-of-battle ships—might have gone in to the attack *at eleven o'clock*, and thus replied to the insinuation.

CAPT. SEYMOUR.—“I have already stated that I cannot say it was misconduct. I STATE THE FACT AND LEAVE THE COURT TO JUDGE.”

ADMIRAL YOUNG.—“You state an opiⁿ on that *the fleet* would have floated in at eleven o'clock.”

CAPT. SEYMOUR.—“Yes, THAT THERE AS WATER ENOUGH.”

ADMIRAL YOUNG.—“Is that all you mean to say, that there would have been water enough for them to have floated in?”

CAPT. SEYMOUR.—“Yes. That is all I *have* said.”

ADMIRAL YOUNG.—“When you say that the ships of the line would have floated in at eleven o'clock, do you mean to speak to the depth of water alone?”

CAPT. SEYMOUR.—“I confine myself to the *meaning of the words*, that there WOULD HAVE BEEN WATER ENOUGH FOR THE LINE-OF-BATTLE SHIPS TO HAVE FLOATED IN. That is what I mean to say. With regard to the opposition they would have met with, THE COURT HAVE AS MUCH BEFORE THEM AS I HAVE.”* (*Minutes*, p. 195.)

That is, in Captain Seymour's opinion, the fleet ought to have proceeded to the attack at eleven o'clock instead of then coming to an anchor, and by that act, giving the enemy's ships aground ample time to warp off and escape, which they would not otherwise have attempted; a point on which all French writers agree.

Attention must here be drawn to Admiral Young's constantly repeated expression “*floated in.*” The expression appears to have been used, not more to prevent Captain Seymour from using any other, than to convey the idea that there was no room in the Channel for operations, but that the ships, if sent to the attack, must have *floated* or *drifted* in, exposed to the fire of the enemy, had Lord Gambier directed them so to do!

At the conclusion of Captain Seymour's evidence, so clear and so conclusive, the commander-in-chief had the bad taste to remark that he “*did not consider it of the least consequence!*”

* Two ships of the enemy's line afloat, viz.:—the ‘Foudroyant’ and ‘Cas-sard’!! “These,” said Lord Gambier in his defence, “*must have entirely crippled every one of our ships in their approach through so narrow a channel.* Besides which, *some of the grounded ships were upright!!* and could have brought their guns to bear on the entrance.” (Lord Gambier's Defence, *Minutes*, p. 125.) Two enemy's ships, both of which made sail for the Charente the moment the escaped ships had got off, “*must have entirely crippled*” a powerful British squadron!!!

(*Minutes*, p. 196.) An opinion in which posterity will assuredly not coincide.

I must here repeat that I was not permitted to be present in the court during the examination of the witnesses, *or to know who had been summoned to appear*, the evidence of Captain Seymour, and that of several other eminent officers, would not have been taken at all, had I not contrived to ascertain the names of those summoned. Finding that most of these had either not been present in the action, or were known to be in the interest of the commander-in-chief, I went on the half deck of the 'Gladiator,' and wrote a note to the court, pointing out the unfairness of such proceeding, and naming other officers who ought to be examined. They were *then* summoned, and their evidence will be conclusive to the reader, as it ought to have been to the court, and would have been so had not the court itself been picked by the Government, *i.e.* principally composed of officers who had been ordered to hoist their flags to qualify them for sitting on the court-martial, which, being ended, they were ordered again to strike their flags!

As a contrast to the evidence of Captain Seymour, I will turn to that of three officers who were *not present in the action*, and in fact do not appear to have been in Aix Roads at all, either before or after it; though without a minute knowledge of those Roads they could not be competent to give even a general opinion on the subject. Without reason assigned—as indeed it was not in their power to assign any—each thus delivered his testimony.

QUESTION (*put to each in succession*).—"Was everything in your judgment done that could be done, to effect the destruction of the enemy's ships?"

CAPT. BURLTON.—"I *think* there was."

CAPT. BALL.—"I *think* there was everything done."

CAPT. NEWMAN.—"Perfectly so."

QUESTION.—"From the time the Commander-in-chief arrived in Basque Roads to the time of your quitting it, can you state any instance of neglect, misconduct, or inattention on his part to the public service?"

CAPT. BURLTON.—"I know of none."

CAPT. BALL.—"No; I cannot."

CAPT. NEWMAN.—"None."

Widely different was the testimony of Captain Malcolm of the 'Donegal'—the late Admiral Sir Pulteney Malcolm—whose love of truth, like that of Captain Seymour, was not to be fettered by

negatives in reply to leading questions. Captain Malcolm thus spoke of the only two enemy's ships afloat, 'Foudroyant' and 'Cassard,' which two ships Lord Gambier in his defence said "*must have entirely crippled*" the whole British force, had it attempted to pass the channel leading to Aix Roads.

"When those ships quitted their stations there was then *no obstacle* to prevent the small ships going in; by which I mean the *frigates*, or even SEVENTY-FOURS. The fire from Isle d'Aix they nearly *avoid* by keeping near the Boyart." (Capt. Malcolm's evidence, *Minutes*, pp. 208, 209.)

Lord Gambier had stated in his defence that he refrained from sending in the ships on account of the danger from the fire of the fortifications. Mr. Stokes supported this view by swearing that the ships would have been "within point-blank range of shot." The assertion of Captain Malcolm that they would be nearly out of reach of shot, which was true, was *malapropos*, though not to be shaken by the testimony of an inferior officer. It was therefore dangerous to recal Mr. Stokes in opposition to so high an authority as Captain Malcolm; Captain Kerr was consequently recalled whilst Captain Malcolm was *under examination*! to say that his ship was *once* hit from the batteries. After which extraordinary interruption Captain Malcolm was suffered to proceed with his testimony.

PRESIDENT.—"Was the enemy's three-decker in a situation on the morning of the 12th to have done any mischief to ships that had been sent in?"

CAPT. MALCOLM.—"Till about noon she was heeling considerably, *and appeared to me to be throwing her guns overboard*. When she righted, she could have annoyed ships coming in."

QUESTION.—"At what time did the three-decker remove from the situation where you saw her on shore *heeling*?"

CAPT. MALCOLM.—"About two o'clock. I took no note of the time."

QUESTION.—"Would you have sent ships in before the two ships were removed and the three-decker got off?"

CAPT. MALCOLM.—"Had it appeared to me that there was no other chance of destroying those ships *but by such an attack*, I certainly think it *ought to have been made*. It was understood that they must all again ground in the mouth of the Charente, where it was the *received opinion* they could be attacked by bombs, gun-vessels, and fire-ships again, *without risk*."

QUESTION.—"Upon the whole, are you of opinion that, of all the French ships which got ashore on the night of the 11th of April, any more could have been destroyed than were destroyed had the British ships been earlier sent in on the 12th of April to attack them?"

CAPT. MALCOLM.—"Had they been attacked by the British ships, in

my opinion *they could not have been warped off from the shore, as it was necessary to lay out anchors to heave them off.* Those that were not aground had always the option of running further up the Charente. It should be understood that it must have been at the risk of our fleet, as I have already mentioned. (*Minutes*, pp. 209 to 211.)

Of course, every naval combat must be at the risk of fleets; such risk, in my judgment, forming the chief object in building fleets for the purpose of encountering it. But the risk to a whole squadron from two ships afloat, and a three-decker ashore, "*heeling over, and throwing her guns overboard,*" is what no brave seaman would ever take into consideration. The chief risk, as has been alleged by Lord Gambier, was from the fire of the batteries on Isle d'Aix, which he had shortly before pronounced "*no obstacle.*" What this was, may be judged from the fact that Captain Seymour, in the 'Pallas,' Captain Woolfe, in the 'Aigle,' and myself in the 'Impérieuse,' lay for two days in this formidable position without loss of any kind.

The reply to the next question put to Captain Malcolm ought to have been conclusive with the Court.

QUESTION.—"*Would you, had you commanded the British fleet, have sent in ships to attack the enemy's ships on shore?*"

CAPT. MALCOLM.—"The moment that the two ships quitted their defensive position the risk was then small of sending ships, and, OF COURSE, I WOULD HAVE SENT THEM IN INSTANTLY." (*Minutes*, p. 212.)

This was spoken like a seaman. No greater contrast can be set in juxtaposition with such evidence than that of the chart-maker Stokes, the master of Lord Gambier's flagship, who, though of no higher rank than that of a warrant officer, was gravely consulted as to what, in his opinion, was the commander-in-chief's duty!!

The subjoined evidence of Mr. Stokes is very curious, not only from its effrontery in contradiction of superior officers, but in its own flat and unblushing contradiction to itself. The portion of Mr. Stokes's evidence placed in a double column is truly wonderful; but it is more wonderful that any tribunal should have so far forgot itself as to act upon it.

"The ships would have been at half range of shell and point-blank shot." (*Minutes*, p. 148.)

"They would have remained under the fire of the enemy's batteries till the tide floated them to the southward of the Palles Shoal; but this retreat, in my opinion, they would not have been able to have gained." (P. 148.)

"If we had made the attack on the morning of the 12th, we should

have sacrificed our own ships without making any impression on the enemy, or destroying *any* of their ships. (P. 148.)

"The enemy's ships were *fast on the ground* with their sterns to the westward; and they *could not bring their guns to bear on the ships that attacked them*. Had the French ships *grounded with their broadsides flanking the passage*, they *could not have been attacked with the least prospect of success*." (P. 151.)

"I told Sir H. Neale that perhaps we might destroy some of their ships, but that we should sacrifice our own."* (P. 151.)

The only comment here necessary is, that nothing in the evidence volunteered by Titus Oates in former years displayed greater effrontery. The evidence of the other chartmaker Fairfax is almost as astounding.

QUESTION.—"Would ships of the line sent in have been within range of shells and shot from the enemy's batteries?"

MR. FAIRFAX.—"From every chart I have seen they certainly would."

QUESTION.—"Could any of the enemy's ships before they run up the Charente have *annoyed and raked* (!) any of the king's ships that might have been sent to attack them?"

MR. FAIRFAX.—"*They certainly lay in a favourable place for it*." † (Minutes, p. 144.)

QUESTION.—"Had even two or three ships of the line been sent in to attack those two ships, were *any of the enemy's ships aground* (!) in a position to annoy our ships, either in the anchorage or in their approach to it?"

MR. FAIRFAX.—"*Some of them certainly were*." (P. 145.)

QUESTION.—"If a part of the fleet had gone into Aix Roads when

* This was said with the full knowledge that when "our own" were reluctantly sent in, *no damage was sustained*. To use Lord Gambier's own words in making his defence, "*Not one, even of the smallest of our vessels employed, has been disabled from proceeding on any service that might have become necessary*." (Minutes, p. 138.)—A circumstance not at all expected by the country when the destruction of the enemy's fleet was required.

† This reply is very characteristic. He knew, as Stokes swore, that the "*enemy's ships were aground with their sterns to the westward*," and that not only could they not return a fire, but that a broadside from a British ship must have gone clean through them from stern to bow; but, unlike Stokes, he would not swear that ships in such a position could have "*annoyed and raked the king's ships*." The enemy's ships were merely "*in a favourable place for it*!" And so they were, had they been *afloat* instead of helplessly *ashore*, heeling over at an angle of thirty degrees.

the 'Impérieuse' made the first signal, must it have remained within three-quarters of a mile of the batteries till the ebb made?"

MR. FAIRFAX.—“*They might have shifted with the flood!*” (P. 146.)

The ingenuity of Mr. Fairfax in avoiding straightforward answers to embarrassing questions is remarkable. He was one of Lord Gambier's tract distributors previously spoken of; but though he had no objection to construct an imaginary chart to serve his chief, his conscience would not permit him to swear to its contents. Nevertheless such evasion ought not to have been tolerated by any tribunal. Yet on the charts and evidence of Stokes and this man was the result of the court-martial made to rest, in opposition to the testimony of officers of standing and character.

The opinion of another eminent officer, Captain Broughton of the 'Illustrious,' will be even more to the purpose.

PRESIDENT.—“From the first attack on the ships of the enemy on the evening of the 11th of April to the time of your leaving Basque Roads, according to your judgment, was everything done that could be done to effect the destruction of the enemy's ships?”

CAPT. BROUGHTON.—“I think it would have been more advantageous *if the line-of-battle ships, frigates, and small vessels had gone in at half flood*, which I take to be at about *eleven o'clock A.M. or twelve.*”*

“The French admiral and two more got off and made sail towards the river, very soon after the two that were afloat.”

QUESTION.—“By the French admiral you mean the ‘Ocean?’”

CAPT. BROUGHTON.—“Yes.”

QUESTION.—“As the two ships that remained at anchor did not change their position till about noon, and the ‘Ocean’ continued in her position till about the same time, if the British fleet had been ordered in at eleven o'clock, which you thought would have been the proper time——”

CAPT. BROUGHTON.—“I would rather say between eleven and twelve, which, in my judgment, was more advantageous.”

QUESTION.—“Would not the ships sent in have been exposed to the fire of the *two ships* that remained at anchor, the French Admiral's ship, and the batteries of Isle d'Aix, at the same time?”

CAPT. BROUGHTON.—“Certainly; but I conceive they were partly *panic struck*, and on the appearance of a force coming in might have been induced to cut their cables, and try to make their escape up the river.” (*Minutes*, pp. 219—221.)

There was not much to be feared from a “*panic-struck*” enemy, with only two ships afloat out of thirteen, eleven being on shore. Yet those who peruse the minutes of the court-

* Precisely the time at which Lord Gambier ordered the fleet to come to an anchor, after it had been got under weigh with every indication of proceeding to an attack.

martial will marvel to find these two ships set up as bugbears to a British fleet.

I will next adduce Captain Broughton's testimony as to the trifling opposition to be anticipated from the batteries on Isle d'Aix, which three weeks previous to the action had been pronounced "*no obstacle*" by the commander-in-chief in his letter to the Admiralty,* but were now considered formidable enough to prevent a British fleet from passing within two miles of them!

It may here be remarked that Captain Broughton was well acquainted with these batteries from having previously been here under Admiral Keats, as they were familiar to me from having been employed on the same spot under Admiral Thornborough, and having, in fact, engaged the 'Minerve' frigate under their fire,† which I held so cheap as not to consider them or their ineffectual fire worthy attention. As Admiral Austen well remarks—all Lord Gambier knew respecting them was from the reports of others, who had not even ventured closely to reconnoitre the batteries. The report of Captain Broughton, who had reconnoitred them, was not acted upon.

PRESIDENT.—"In your services in Basque Roads had you any opportunity of making observations upon the state of the enemy's fortifications on Isle d'Aix?"

CAPT. BROUGHTON.—"Yes, I had."

PRESIDENT.—"Narrate those observations."

CAPT. BROUGHTON.—"I was on board the 'Amelia' when she was ordered to dislodge the enemy from the Boyart Shoal, and, being *nearly within gunshot* ‡, I observed the fortifications. They appeared to me in a very different state to what I observed them when serving two or three years before under Sir Richard Keats. I thought they were repairing the works from the quantity of *rubbish that was thrown up*; and I counted on a semicircular battery which commanded the roadstead where the enemy lay between *fourteen and twenty guns*, I am not positive as to the exact number. There was a small battery lower down, nearer the sea. I do not know the exact number of guns; there might be *six or nine*, I suppose. What I had before taken to be a block-house above the semicircular battery seemed to have *no guns whatever*; it appeared to be a barrack for containing the guard. I thought from this observation that the fortifications of the island, at least in that part, were *not so strong as we supposed*, and I reported my opinion to that effect to Lord Gambier."

* See p. 213.

† See p. 191.

‡ Mr. Stokes said the ships going in must have been "*at half range of shell and point-blank shot!*" (*Minutes*, p. 148.) Mr. Stokes's observation was taken "from the mizentop of the *Caledonia*;" that of Captain Broughton from actual exposure to the fire of the batteries.

PRESIDENT.—“Are those the only guns you observed on Isle d'Aix that could bear upon the anchorage?”

CAPT. BROUGHTON.—“They were all that I observed; there might be more.”

QUESTION.—“Did it appear to you that the enemy was constructing new works in front of the old ones, and nearer to the sea?”

CAPT. BROUGHTON.—“I think the *rubbish* was the remains of the old works that *had been taken down*.”

PRESIDENT.—“Would your Lordship wish to ask any questions on the subject?”

LORD GAMBIER.—“I would wish Capt. Broughton to point out on the chart the situation of the ‘Amelia’ when he was on board her and made those observations?”

CAPT. BROUGHTON.—“The south point of Isle d'Aix was just shut in with Fouras Castle, and I think the bearing was nearly S.E. and by E. when it was open. When it was touching the point we were JUST OUT OF GUNSHOT FROM BOTH SIDES. THEY FIRED AT US FROM BOTH SIDES, BUT THE SHOT DID NOT REACH US.” (*Minutes*, pp. 218, 219.)

This was decisive, and in his defence, the commander-in-chief thus attempted to evade the facts which had been officially reported to him by Captain Broughton. To contradict them was impossible.

“With respect to the force of the Aix batteries, I apprehend what appeared to Lord Cochrane and to the master of his ship as ruins of the fort were, in fact, materials for *improving or increasing the work*! Indeed, can it be natural to *suppose* that the enemy, who are so active in forming batteries wherever they can be useful, and whose engineers are considered to be equal to any, would, of all moments, choose that for dismantling or blowing up works when they expected those works would be most required; for it is very certain the enemy was as fully apprised of *our intentions of attacking their fleet as myself!!!** And it will perhaps be considered less likely that the enemy should *weaken their defences* on Isle d'Aix, *raised evidently for the protection of their fleet*, when at the same time they were endeavouring to form others on the Boyart Shoal as a protection for it.” (*Minutes*, p. 135.)

There was no “*supposition*” in the matter, nor any necessity for hypothesis, in face of the fact that the fortifications were for the most part *débris*, or, as Captain Broughton termed them, a mass of “*rubbish*.” No one said that they had been “*blown*

* Lord Gambier had just before written to the Admiralty that an attempt with fireships would be “*hazardous if not desperate*.” He had no intention of attacking otherwise. And after the enemy's ships had been driven ashore by the explosion vessels, Captain Broughton testifies to Lord Gambier's expressions that he did not intend to make any attack, as the object of their destruction seemed to be already accomplished. That is, neither before nor after the action did he intend to make any attack with the fleet, nor would he have done so unless a partial attack had been forced on him by my signal on the *afternoon* of the 12th of April.

up," or that the enemy were *weakening their defences!* The fact is, that only a month before the action Lord Gambier had himself set the matter at rest, by writing to the Admiralty as follows:—"The advanced work between the Isles of Aix and Oleron, I *find* was injured in its foundation, and is in no state of progress, *it is therefore no obstacle to our bombarding the enemy's fleet,*"* yet it was now an "obstacle" to even attempting attacking ships on shore; and Lord Gambier condescended to resort to the just-quoted assertions, in contradiction to his own letter to the Admiralty.

On the utter worthlessness of the batteries, as calculated to impede the operations of a British fleet, there was abundant evidence before the Court, as will be seen on an examination of the minutes of the court-martial, such testimony confirming the correctness of Lord Gambier's letter to the Admiralty on the 11th of March, and completely disproving his lordship's contradictory assumptions in his extraordinary defence read to the Court.

Captain Broughton was next examined with reference to the imaginary shoal, which forms so conspicuous an object on Mr. Stokes's chart (C).

"If the ships had been damaged in masts and rigging, considering the direction and strength of the wind at that time, was there any place those ships could have retired to?"

CAPT. BROUGHTON.—"I think as the wind was north-westerly and northerly, they might have found safe anchorage and protection in what is called in the French chart I had on board "*Le Grand Trousse*" (see Chart A), *where there is thirty or forty feet of water OUT OF RANGE OF SHOT OR SHELLS IN ANY DIRECTION.*"

QUESTION.—"How many ships would you have thought it necessary to send into Aix Roads to attack the enemy?"

CAPT. BROUGHTON.—"I should think *five or six ships* of the least draught of water."

"I conjecture that the *discomfited* French squadron *would have made very little resistance.*"

"From the situation in which the enemy were, *not having recovered from the fright of the night before, I think our loss would have been very little*, as few of the French ships were in a situation to FIGHT THEIR GUNS!!"

QUESTION.—"Do you know that from the anchorage in Aix Roads to the anchorage you have just now described, that *there is A BAR GOES ACROSS?*"

CAPT. BROUGHTON.—"No! I do not know anything of it; I *sounded* from the wreck of the 'Varsovie' to that anchorage, and *FOUND NO SHOAL THERE!!*"

* See p. 213.

PRESIDENT.—“*That is not the place!* It is marked in some of the charts that between the Boyart and the tail of the Palles there is a bar!”

CAPT. BROUGHTON.—“*I sounded as I came in from the fleet, BUT DID NOT FIND ANY BAR.*” (*Minutes*, pp. 221—233.)

The extraordinary conduct of the president in saying “*That is not the place,*” and then that “*in some of the charts there is a bar,*” in the place which was “*not the place,*” needs no comment. The evidence of Captain Broughton, who *had* sounded there, should have been fatal to the chart of Mr. Stokes, who *had not* by his own admission taken soundings. The fact was, that this bar, made for the occasion, formed one of the main points in the commander-in-chief’s defence, and Mr. Stokes’s chart was retained in spite of the testimony of those who, from having sounded, could alone know anything of the matter.

But Mr. Stokes shall first *prove* and then disprove his imaginary *bar* or *shoal*.

Notwithstanding that Mr. Stokes admitted that his knowledge of the supposed shoal between the Palles and the Boyart was only founded on an anonymous French MS., he subsequently forgot the admission, and swore to his own *personal knowledge of the minutest particulars* connected with the imaginary shoal!!

LORD GAMBIER.—“Is there not a bank between the Boyart and the Palles Shoal?”

MR. STOKES.—“Yes.”

“What water is their generally upon that bank at low water?”

MR. STOKES.—“From *twelve to sixteen feet in the deepest part*, but that part is *very narrow*.”

“If there are only *sixteen feet*, line-of-battle ships could not pass over it at all times?”

MR. STOKES.—“*No,* not until nearly two-thirds flood*. You must reckon on going over that part at *twelve feet*.”

“To get to the anchorage, it is necessary to pass over the bank just mentioned?”

MR. STOKES.—“IT IS.”

ADMIRAL YOUNG.—“Is there a channel of sixteen feet all across?”

MR. STOKES.—“*There is a channel of sixteen feet all across*, but that is *narrow*. There are about the middle of it patches of twelve feet.”

PRESIDENT.—“*There is no going into the channel of sixteen feet without, in some instances, passing over that of twelve feet?*”

MR. STOKES.—“You may go over the channel of sixteen feet, but it

* It is marked on Mr. Stokes’s chart that the rise of tide is *twenty-one feet*.

is so narrow that I should calculate going over that part which is *only twelve feet*."

PRESIDENT.—"It is so *intricate*, you must count on passing over some part with only *twelve feet*?"

MR. STOKES.—"I should calculate on going over part of the twelve feet, because it is so narrow, it is difficult to hit the passage of *sixteen feet*." *

This is pretty minute for a man who was not present in the action, who confessed that he was "ignorant of the distance between the sands," and had, in fact, "never sounded there at all," that his survey had been made from the mizentop of the 'Caledonia,' nine miles off, and that he had his information from Mr. Fairfax and an "anonymous French MS." which was not even produced in court, nor demanded by the court, so that it is not known to this day who was the author of that MS., or, indeed, whether it ever existed; a matter which, from its non-production, I do not hesitate to doubt.

The president was, however, bent on confirming Mr. Stokes's shoal, but the result was most unfortunate. In order further to substantiate the alleged fact, Captain Woolfe of the 'Aigle,' which vessel was present during the action, thus replied to an interrogation on the point.

"I think *four or five sail of the line* might have lain clear of the enemy's batteries. I lay there with the 'Pallas' and *fifteen or sixteen brigs, gun-brigs, cutters and schooners!*" (*Minutes*, p. 86.)

PRESIDENT.—"*Would the casting your eye upon this chart (Stokes's) give you a clearer comprehension!!!*"

CAPT. WOOLFE.—"No! I have it all in my mind. *I received orders to assist Mr. Stokes on a survey.*"

PRESIDENT.—"What was the report of the depth of water at any particular time of tide in the situation *I have pointed out between the 'Pallas' and the 'Boyart,' if you can recollect it?*"

CAPT. WOOLFE.—"Mr. Stokes said HE HAD FOUND DEEPER WATER AND A LITTLE MORE ROOM FARTHER TO THE SOUTHWARD."

Is it not wonderful that in face of such facts, the Court should have acted on Mr. Stokes's chart or his evidence? Where Mr. Stokes had found "*deeper water*" he had marked on his chart a shoal, on which no admiral in his senses would have trusted a frigate, though the 'Revenge' and 'Valiant' line-of-battle ships, with five or six frigates, had found plenty of water, and, whilst destroying two enemy's ships, remained there through a whole

* Yet Captain Broughton has "hit" it, and that without finding any shoal at all!

tide without grounding! The following are extracts from the logs of the ships present.

"3.0 P.M. Shorten sail and anchored *in 7 fathoms*, near the outer ship of the enemy, 'Valiant' in company." (*Log of the 'Pallas.'*)

"3.30. Came to with the best bower *in 6 fathoms*." (*Log of 'Valiant.'*)

"4.0. Anchored *in 5½ fathoms*." (*Log of 'Unicorn.'*)

"3.30. Anchored *in 7 fathoms*." (*Log of 'Indefatigable.'*)

"2.30. Anchored *in 6 fathoms*." (*Log of 'L'Aigle.'*)

The subjoined evidence of Mr. Spurling, the master of the 'Impérieuse,' will render further allusion to the subject unnecessary.

"Where we anchored, which was *out of the reach of shot and shell*, we lay *in five and a half fathoms at low water*. Three or four cables' length nearer to the Palles Shoal than we lay, was a good berth for three or four sail of the line to anchor in five and a half or six fathoms *dead low water*. The marks for such anchorage I took myself." "I know this from my own observation. It was marked on the French chart, but I did not choose to trust it, but wished to prove it. The lead was kept going the whole of the time on both sides."

PRESIDENT.—"What water did you find in working out between the tail of the Palles Shoal and the shoal towards the 'Boyart,' when working to and fro?"

"*From six and a half to seven fathoms.*"

"Did you make any observation before you began to engage?"

"Yes. On the morning of the 12th I was desired by Lord Cochrane to lay a buoy on the Boyart Shoal, which I did in *six and a half fathoms water*, a sufficient distance to allow *any ship* to tack round that buoy."

The reader must not imagine that I am too minutely descending into particulars. I am writing history—naval history—in which Lord Gambier is nothing—myself less, except as unavoidably connected with the proceedings of the court-martial. I have no wish to speak of Lord Gambier where it can be avoided. The subject is, however, one in which the nation is collectively interested, and the national, no less than naval character, involved. Now that the justice of the Duke of Somerset has given me the means of incontrovertible explanation, I am personally gratified in availing myself of it; but I repeat that my object is now, as it ever was, national; and having at length those means, it is my duty, no less than my pleasure, to use them as a warning to future generations of the noble service to which I have the honour to belong.

I must reluctantly turn for a moment to the evidence founded on Mr. Fairfax's chart (D). First premising, that when Mr. Fairfax was asked to "state the situation of the enemy's ships

at noon," he replied, that "at *eleven o'clock* he went down below and did not come up again till near two." (*Minutes*, p. 143.) That is, during the whole of the three hours' delay, and the consequent escape of the grounded ships, which constituted the question before the court, Mr. Fairfax had been, by his own voluntary admission, in his berth, recovering himself from the fatigues of the previous night.

During these three hours, as has been said, the 'Océan,' three-decker, and the three other line-of-battle ships had *quietly hove off*, and were running into the Charente. This was proved by the concurrent testimony of *all* the witnesses, and their escape formed the neglect, if any, of the commander-in-chief. Yet Mr. Fairfax unblushingly testified that his chart showed their position on the morning of the 12th, and that when at two o'clock he returned from his *three hours' nap*, the enemy's ships were "NEARLY IN THE SAME POSITION as when he went below at *eleven o'clock*!" All the other witnesses, without exception, stating, the fact that they had warped off and escaped beyond reach! Yet the Court made no comment on Mr. Fairfax's evidence.

When pressed to describe their position more minutely, Mr. Fairfax, with real or assumed indignation, replied, "*I have described them in the chart produced by me.*" The court complacently declined further question, and Mr. Fairfax thus escaped the struggle between his chart and the truth, which had so much embarrassed Stokes, who had not the sagacity to perceive that his silence would have been more acceptable than his volubility.

Mr. Fairfax's minute description of the "nearly same position" of the ships which had *escaped while he was below*! is yet more extraordinary.

"Were any of the enemy's ships aground lying so close together as to have the yards of two of them locked together?"

MR. FAIRFAX.—"By perspective those near the 'Tonnerre' seemed to be *very close*. If you draw a line they appear in one."

PRESIDENT.—"The question is whether these two ships were lying so close together that their masts and yards might be locked in, or whether they were distinct?"

MR. FAIRFAX.—"They were *distinct at night*!"

"Were you in any situation which enabled you to determine that they were *not* near each other?"

MR. FAIRFAX.—"No; it was prior (*i. e.* before daylight) that I distinguished them separate."

"Can you determine *how far* they were asunder?"

MR. FAIRFAX.—"I should think a ship's length from each other, *those three.*"

Yet even the reluctant vision of Mr. Stokes, at a distance of nine miles, could perceive *at daylight* four of the enemy's vessels lying helplessly "in a group." Mr. Fairfax—from whom a straightforward answer could not be got—said, when pressed, that amidst *pitch* darkness, and by "*perspective*," he could plainly distinguish them as distinct from each other; and was thus, with difficulty, made to tell almost the truth as to how they lay when driven ashore on the preceding night. He could see in the darkness that their yards were not locked together, but they were only "a ship's length from each other"—a distinction almost without a difference.

The whole affair was made to turn on the evidence of these two masters, Stokes and Fairfax, who unhesitatingly contradicted in that evidence the testimony of the most experienced officers present in the action, though the latter, had it not been for my pertinacity, as before described, *would not have been allowed to give evidence before the court*. It has been shown that the charts of Messrs. Stokes and Fairfax were used to the exclusion of the actual charts of the enemy's coast supplied under sanction of the Admiralty itself, because there were none more reliable in existence.

It would be easy to extract from the evidence of Fairfax much more to the same effect; but the subject is nauseating, and the naval reader may, if he choose, search the *Minutes* of the court-martial for himself. The young officer could scarcely occupy himself more profitably, if he wish to become acquainted with the practice of the service fifty years ago.

A short extract from Mr. Fairfax's evidence relative to the explosion vessel and the 'Mediator' is necessary, as Lord Gambia avowed in his defence that the "explosion vessels *failed in their object*;" and to corroborate this, Mr. Fairfax falsely placed on his chart the spot where the explosion took place, in a false position, in order to confirm to the *eye* of the Court the asseverations of the commander-in-chief in his defence. Like Mr. Stokes, Mr. Fairfax swore the *truth* in his evidence in contradiction to his chart.

The assertion of the commander-in-chief in his defence, with regard to the explosion vessels, is as follows:—

"The explosion vessels, conducted by Lord Cochrane, *failed in their object*, as will be seen with reference to the *small chart* which I now deliver into court. (Mr. Fairfax's Chart D.) This points out where two of them blew up. The situation in which, and at the time when,

those vessels blew up, proved prejudicial to the enterprise in several respects. . . . In fact, had not Captain Wooldridge and some of the other officers, wholly disregarding the explosion, taken their fire-ships in a proper direction for the enemy, it is more than probable that none of them would have produced any effect on the enemy's fleet." (Lord Gambier's Defence, *Minutes*, p. 124.)

Lord Gambier uttered this with the full knowledge that NOT A SINGLE FIRESHIP DID TAKE EFFECT ON THE ENEMY'S FLEET, a fact which his lordship openly states in another part of his defence ; so prematurely were the fireships kindled, and so badly were they directed. That Captain Wooldridge took his fireship in "a proper direction," is wholly disproved by the very man upon whose chart his lordship relies ; viz. Fairfax, who states in his evidence that *after* the explosion had taken place he "*hailed the 'Mediator' to ALTER HER COURSE, OR SHE WOULD MISS THE FRENCH FLEET!!*"

I am sorry to to bring such evidence as the subjoined to confute the unfounded assertions of a British admiral, but justice to myself leaves me no alternative.

QUESTION.—"Do you recollect when and where the explosion vessel blew up on the night of the 11th of April?"

MR. FAIRFAX.—"She was about *two cables' length from the 'Lyra.'* The 'Lyra' is marked in the chart produced by me, as well as the explosion vessel. *When she blew up the fire-vessels all seemed to steer for that point.* I hailed four of them and the 'Mediator,' and *desired the 'Mediator' to steer south-east, or else she would miss the French fleet."*

Here Mr. Fairfax proved, 1st, that the explosion-vessel took effect before a single fireship was kindled. 2ndly, that the 'Mediator' was steering in a *wrong direction*, not a "*proper direction*," as alleged by Lord Gambier. 3rdly, and that therefore the boom was destroyed before the 'Mediator' could have got near it. The 'Mediator's' log is, however, luckily amongst the Admiralty records, and is carried up to the time the ship was set on fire, viz. 9.30 P.M., but not a word is said of breaking any boom, or even coming in contact with one, though had she done so the shock must have shook her from stem to stern. The subjoined are the 'Mediator's' last log entries previous to her being set on fire.

"8.30 P.M. Cut the cable and made sail for the French squadron.

"9.30. *Set the ship on fire."*

The preceding extract from Mr. Fairfax is taken from the "*revised*" minutes. He says : "*When the explosion vessel blew up, all the fire-vessels seemed to steer for that point.* What he really

said was, "*I was below at the time of the first explosion!*" which I supposed was some shells bursting in the top, but I got on deck time enough to see her blow up!" This was expunged, and the above version substituted. The fact was, as every seaman will comprehend in a moment, that there was not a grain of powder, or a single shell, anywhere but in *a mass in the hold*, and this, as a matter of course, exploded *in an instant!* I do not say that Mr. Fairfax can be accused of this perversion of his evidence, as it was evidently the work of the person who *revised* the minutes for publication by a Portsmouth bookseller.

The 'Mediator's' log was taken out of her previously to her being set on fire, and is subsequently continued up to midnight, two hours and a half afterwards, but still not a word is mentioned of coming in contact with a boom. This should be conclusive on the subject, and it is not my fault that a fact beyond dispute, must necessarily disprove the asseverations of the commander-in-chief in his defence before the court-martial. These, however, are both facts. Let the reader make the most of them.

Yet in his letter to the Admiralty of April 14th, Lord Gambier stated that "*the weight of the 'Mediator' broke the boom,*" in that letter also ignoring the effect of the explosion vessels altogether. His lordship says in his defence, that they were *signals for the fireships!!* The subjoined are his lordship's words:—"Their explosion was to point out *the proper time for the officers commanding the fireships to set fire to their respective vessels*, and to intimidate and prevent the enemy from towing off the fireships."* Three explosion vessels fitted at an enormous cost for ammunition, &c., to do that which a signal rocket could have done as well!! If the explosion vessels did not strike terror into the enemy assuredly nothing did, for at page 125 of his defence he admits that "*not one of the enemy's ships was actually destroyed by means of fireships.*"

This perseverance on the part of the commander-in-chief in persisting that the explosion vessels "*failed in their object,*" though according to his own admission that the fireships failed also, was attempted to be corroborated by the evidence of Mr. Fairfax, but in a different way, viz. by swearing that she blew up at too great a distance from the enemy to produce any effect at all!

* *Minutes*, p. 123.

PRESIDENT.—“To the best of your judgment, what was the distance of the explosion vessel from the enemy when she blew up?”

MR. FAIRFAX.—“About a mile.”

ADMIRAL YOUNG.—“What sort of a night was it?”

MR. FAIRFAX.—“Very dirty, and blowing strong. The ‘Lyra’ was pitching bows under.”

“Was the night light or dark?”

MR. FAIRFAX.—“*Very dark at intervals.*”

“How then did you, in a *very dark night*, ascertain that the explosion vessel blew up *within a mile* of the enemy?”

MR. FAIRFAX.—“By her computed distance from us in the ‘Lyra,’ judging the distance she was from the enemy.” (*Minutes*, p. 177.)

At first sight, these questions on the part of the court seem impartial, but their object was to make Mr. Fairfax say that she might have been *more* than a mile from the enemy, as appears from the subsequent evidence. Mr. Fairfax would not say this. He, however, placed her on his chart on this “*very dark*” night near the Boyart Shoal, and not close to the Isle of Aix and the boom, where Captain Proteau, who was lying under the lee of the boom, says she blew up.

Unfortunately for the veracity of Mr. Fairfax on this point, he had previous to the trial unwittingly written a letter to the editor of the *Naval Chronicle*, evidently not for publication, but in explanation of a chart. The editor of the *Naval Chronicle*, however, published the explanatory remarks, which are in complete contradiction to Mr. Fairfax’s evidence on the court-martial—in fact, this portion of the letter tells the truth in the following language:—

“I have it from good authority that the fuses on board one of the explosion vessels only burned six minutes and a half, instead of twenty.* Had they burned twelve minutes longer *nothing could have been better placed!* I saw the French ships with lights up *immediately after the explosion before any of the fireships got near!!*—EDWARD FAIRFAX.” (*Naval Chronicle* for 1809, vol. xxii. p. 49.)

With this glaring contradiction between his evidence and his previous *honest* assertion to the editor of the *Naval Chronicle*, I take my leave of Mr. Fairfax and the subject, being quite content to rest my character on the contradictory evidence of those suborned to serve the cause of an administration in want of the prestige of a victory, at the expense of truth and even common sense, had such been relied on in the investigation.

* This is incorrect. They were calculated to burn twelve minutes, and exploded in about half that time.

I will conclude with the remark, that had I been permitted access to the charts *before the lapse of fifty-one years* from the date of the action—or could I after the court-martial have prevailed on parliament to investigate the matter, by demanding the production of the minutes of the court-martial before voting thanks to the commander-in-chief, the administration of that corrupt day would never have dared to treat me as an officer maligning my commander-in-chief unjustly, nor to have followed up their malignity, to its final consummation of driving me from the British Navy, on the imputation of an offence of which I had not the smallest cognisance, as will by-and-by appear as plainly, and I trust as satisfactorily, as do these extraordinary revelations concerning a court-martial which will stand a beacon and a warning to the naval service as long as that service may exist. God grant that the records of that noble service to the latest day of its existence may never again be sullied in like manner !

CHAPTER XXVII.

CONDUCT OF THE COURT-MARTIAL.

Lord Gambier's defence.—Second despatch ignoring the first.—Attempt of the court to stop my evidence.—Evidence received because opposed to mine.—I am not permitted to hear the defence.—The logs tampered with.—Lord Gambier's defence aimed at me under an erroneous imputation.—My letter to the court confuting that imputation.—Admiralty accusation against Lord Gambier on my refusal to accuse his lordship.—His insinuations against me uncalled for.—Assumes that I am still under his command.—Enemy escaped from his own neglect.—The shoals put in the chart to excuse this.—Attempt to impute blame to me and Captain Seymour.—The truth proved by Captain Broughton that Lord Gambier had no intention of attacking.—Lord Howe's attack on the Aix Forts.—Clarendon's description of Blake.

THE most damnatory point connected with the court-martial is—that on finding me inflexible with regard to the vote of thanks to Lord Gambier, the Board of Admiralty ordered his lordship, AFTER HIS RETURN TO ENGLAND, to *write a second despatch containing fresh details of the action!* thus superseding the first despatch written by himself as commander-in-chief at the time of the action ! !

With this extraordinary demand Lord Gambier appears to have gladly complied on the 10th of May, 1809 ; so that there are two despatches, the first highly praising me for what I

neither did nor intended to do—the second IGNORING MY SERVICES ALTOGETHER!! In fact, only mentioning me by name, as *lying* “*about three miles from the enemy.*” One step more in the second despatch, viz. that I was not in Aix Roads at all! would only have been in keeping with the assertion just quoted. Were not these contradictory documents now adduced, the denial of such an act by suppressing all mention of it in the despatches would be incredible. Nevertheless, I fearlessly assert, that to my personal conduct of the explosion-vessel was solely attributable the panic produced in the enemy’s fleet, and that such conduct was one of the most desperate acts on record.

There is nothing like this in the records of the British or any other naval service, and the reasons for a precedent so unusual must themselves have been extraordinary. It is clear to me, that from the order of the Board of Admiralty to the commander-in-chief to make a second report of the action in Aix Roads the court-martial took its cue. This may be a harsh conclusion, and perhaps would be so were it not corroborated by circumstances, not the least significant of which was, that the commander-in-chief’s official report had been long before *published in the Gazette!* No naval reason to invalidate this official report was alleged, or could have existed.

During my examination before the court I alluded to the fact of having “reported to the commander-in-chief the ruinous state of the Isle of Aix, it having the *inner fortifications completely blown up and destroyed.* This I not only ascertained from the deck of the ‘*Impérieuse*’ with perfect precision as to the side towards us, but also as to the opposite side, from personal observations made from the main-topgallant mast-head. There were thirteen guns mounted.” (*Minutes*, p. 58.)

This evidence, if admitted, and its truth was fully proved by the testimony of other officers, completely confirmed Lord Gambier’s previous statement to the Admiralty, that “*the fortifications were no obstacle.*” But now it was expedient that these fortifications should constitute the bugbear which, as was asserted, would have destroyed any British ships sent in to attack the enemy’s ships aground! and that the issue of the court-martial mainly rested on establishing the formidable character of the fortifications, a second despatch was called for. When, in my evidence, I was explaining to the court the little danger to be apprehended from these fortifications—one of the principal points before the court, Admiral Young stopped me with the

query, "Will you consider, my Lord Cochrane, before you go on, HOW FAR THIS IS RELEVANT?"

On my insisting upon further explanation, the judge-advocate attempted to stop me by demanding—"CAN THIS RELATE TO THE QUESTION ASKED?" The president—seeing that I would not be stopped—remarked—"Lord Cochrane states this as his reason for not taking a particular line of conduct." I stated it for no purpose of the kind, but to show that opposition from such fortifications was hardly worth taking into consideration, and thus continued:—

"I have felt that if I had answered 'Yes' or 'No' to all the questions which had been put to me, I ought to be hung, and that if a court-martial were held upon me and only the answers 'Yes' or 'No' appeared to those questions, I *should* be hung for them."

JUDGE-ADVOCATE.—"*I believe nobody has desired your Lordship to answer merely 'Yes' or 'No'!*"

A still more striking instance of the animus of the court was the following attempted stoppage of Captain Beresford's evidence.

CAPT. BERESFORD.—"The only thing I know with respect to the 'Calcutta' being fired, was by a conversation between Lord Cochrane and myself in the presence of Capt. Bligh, Capt. Maitland, and others."

PRESIDENT.—"*Is this strictly evidence, Mr. Judge-Advocate?*"

JUDGE-ADVOCATE.—"*Yes! I should think it is; BECAUSE I CONCEIVE IT IS TO AFFECT THE EVIDENCE OF LORD COCHRANE!!!*" (*Minutes*, p. 163.)

At the present day such proceedings in any tribunal would be thought impossible. There, however, they are on record—showing that the openly avowed object of the court-martial was the suppression and invalidation of my evidence by any means that could be brought to bear, rather than an inquiry into the conduct of the commander-in-chief on the merits of the case.

One point more must be noticed, relative to the manner in which the court was conducted. Having reason to believe, as has been shown, that the inquiry was being directed against myself, I was naturally anxious to be present at the reading of the commander-in-chief's defence, in order to judge how far I might thereby stand affected. With this view I presented myself at the court on the fifth day of the inquiry, when it was known that the defence would be made.

To my surprise the court saw fit to refuse the privilege,

PRESIDENT.—“All the witnesses must withdraw.”

LORD COCHRANE.—“With all due respect to the court, in some former courts-martial the witnesses have been permitted to hear the defence.”

PRESIDENT.—“*I never heard such a thing in my life. The court have ruled the point.*”

LORD COCHRANE.—“The case of Admiral Harvey is a case in point.”

PRESIDENT.—“Lord Cochrane, the Court have determined the contrary.”

(*Lord Cochrane withdrew.*) (*Minutes*, p. 105.)

One of my reasons for wishing to be present was to ascertain what use would be made of the logs of the small vessels present in the action; it being quite clear from circumstances which had come to my knowledge that some of these had been tampered with. As such an assertion may readily be doubted, it must be confirmed.

When Mr. Earp inspected the logs at the Record Office, several, for the date of the action, were found missing from the log books. One—the log of a line-of-battle ship—*had been torn out and was put back loose!* This, however, is after-knowledge, I will rather rest the matter on circumstances at the time.

When the master of the ‘Beagle’ was under examination, the subjoined conversation took place:—

PRESIDENT (*to the Master*).—“Were these things written (in the log) day by day as they occurred?”

MASTER.—“Yes; everything was written every day at twelve o’clock.”

“Then what is called the log of the 6th of April *was* written on the 6th of April?”

MASTER.—“Yes.”

“And what is inserted here as of the 7th, *was* written on the 7th in this book?”

MASTER.—“Yes.”

“Is this the identical book into which it was copied from the log?”

MASTER.—“Yes.”

“And there never was any other log-book kept?”

MASTER.—“No.”

“Who kept this?”

MASTER.—“I kept it myself.”

PRESIDENT.—“It is written so fair and so neat that *it bears every mark of being a fair copy?*”

JUDGE-ADVOCATE.—“*I tell the gentleman I am sure no imputation rests upon him!*”

PRESIDENT.—“No; not the least!” * (*Minutes*, pp. 30, 31.)

* Inspection of more than one of the logs can leave no doubt, from the neatness of the handwriting, that those relating to the date of the action had been recopied, and could not have been written from day to day; which from the difference in the pen and other little circumstances must have shown itself as in other logs. In one instance portions of the signal book have been transcribed into the ship’s log.—G. B. EARP.

It was nevertheless a fact that it *had* been tampered with, as was unwittingly elicited by Mr. Bicknell from the same witness.

QUESTION.—“You say, on your oath, that you believe everything in this log to be correct.”

MASTER.—“Yes.”

QUESTION.—“How does it happen that the signals of the ‘*Impérieuse*’ are inserted in the margin of the log amongst the columns, and *not in the body of the log*?”

MASTER.—“I wrote that *at the same time the log was written*!”

“Why did you not put it in the body of the log in the narrative?”

MASTER.—“*I made a mistake!* in copying it from the log-book!”
(*Minutes*, pp. 29, 30.)

It will thus be seen that my most material testimony was attempted to be stopped by the court as “irrelevant;”—that the judge-advocate gave as a reason for receiving testimony *really irrelevant*, that it *ought* to be received because “*it would affect the evidence of Lord Cochrane*;”—that garbled logs were resorted to—that the whole proceedings were directed against me, and carefully in favour of Lord Gambier, by leading questions which abound in almost every page, that I was not allowed to be present whilst the witnesses were under examination, so that I had no opportunity of cross-examining them in my own vindication—a right granted to every man by the constitution of his country; and that I was *refused admission* to the court during the delivery of Lord Gambier’s defence, *by the judge-advocate himself!* a most unusual course, that defence being full of the most injurious insinuations against my honour, though these were not borne out by evidence. In short, I was refused admission to the court, though I quoted a precedent *not two months old*, in support of my right to be present—a right the more important to me if only from the fact of Lord Gambier having written a second despatch relative to the action in Aix Roads, in which despatch my services were altogether omitted, notwithstanding his lordship’s praises of my conduct in his first despatch written on the spot, where everything had transpired under his own observation.

I must now briefly advert to his lordship’s defence, but only so far as personally concerns myself.

Lord Gambier stated at the outset of his defence, that he had been compelled to demand a court-martial in consequence of “the insinuations thrown out against him by Lord Cochrane, which not only compromised his own honour, but that of brave officers and men serving under his command.” (*Minutes*, p. 105.)

I never threw out against his lordship a single insinuation, nor does one exist, either on the records of the court or elsewhere. I merely told Lord Mulgrave, as previously narrated, that I did not consider Lord Gambier's services worthy of a vote of thanks from parliament, and that on this ground, as bound by public duty to my constituents, I should resist it. As will presently be seen, this was also the opinion of many eminent men in Parliament, and on the same ground too—that of public duty. If I committed any offence in this, it was that of refusing to have my name coupled with that of Lord Gambier in the vote of thanks, and resisting an offer of an independent squadron and a regiment,* not to persist in my determination of opposing it.

That my objection to the vote of thanks to Lord Gambier included any of the officers serving under him was a gratuitous assumption to secure sympathy for himself. As I have shown, the opinions of those officers present in the action, whose opinions were to be relied on, were *anything but in Lord Gambier's favour*. Not a single word did I utter against any officer; though, on the ninth and last day of the court-martial, it was with the greatest difficulty, and *after a positive refusal*, that I succeeded in getting a denial of Lord Gambier's unfounded assertion attached to the Minutes. It will be better to give the whole transaction.

The Right Honourable Lord Cochrane called in.

PRESIDENT.—“Lord Cochrane, I have received the note which you addressed to me, and have taken the sense of the Court upon it. The decision of the Court is, that as the matter to which your lordship refers *does not at all bear upon the trial of Lord Gambier they cannot enter into it.*”

LORD COCHRANE.—“I would request, sir, that that letter may appear as an official letter to you, and that it may be entered upon the Minutes.”

PRESIDENT.—“The Court will take that into their consideration.”
The Court was cleared.

The Court was re-opened at one o'clock.

PRESIDENT.—“Lord Cochrane, the Court have taken into their consideration the note you addressed to them, and have agreed that it shall be attached to the Minutes.”

The letter was read, and is as follows : —

“August 4, 1809.

“SIR,—Having learnt from my brother officers that a report has gone abroad that I censured, in general terms, the conduct of the

* See p. 254.

officers employed in the Road of Aix, on the 12th of April, I wish to have an opportunity to declare the truth on oath, considering reports of that nature highly injurious to the service of our country. I am also desirous to lay before the Court the orders given to the fireships for their guidance, as these will tend to elucidate and clear some of those who consider that blame has been imputed to them.

"I have the honour to be, sir,

"Your most obedient humble servant,

"COCHRANE.

"Admiral Sir Roger Curtis, President."

Let the reader mark that expression of the president, "*it does not at all bear upon the trial of Lord Gambier!*" Though the very first sentence of Lord Gambier's defence was an accusation of myself upon an assumption for which there was no foundation whatever. Nothing but fear of a parliamentary debate caused that letter to be attached to the Minutes.

So clumsily was this accusation made against me, that Lord Gambier, despite the unwarrantable assumption just quoted, subsequently admitted my objection to the vote of thanks to have *been solely aimed at himself*, and not, as he had just said, at the officers and men of the fleet. Here are his lordship's words :—

"Lord Cochrane *warned* the noble lord at the head of the Admiralty that if his measure (the vote of thanks) were attempted he should, if standing alone, oppose it; thus, without specifically objecting to thanks being given for the service performed, directing his hostility *personally at me.*" (*Minutes*, p. 107.)

That is—I should not have objected to a vote of thanks to the officers and men of the fleet, but only to himself *personally*. Yet in the same breath he accused me of traducing the officers and men of the fleet; with the intention, no doubt, of sheltering himself under the pretence of my having traduced them also. Could anything be more puerile? I gave no other "*warning*" to Lord Mulgrave than that which Lord Gambier correctly stated, and that I certainly did give, but without a word which could give rise to the slightest imputation on the officers and men of the fleet.

The fact is, that I never accused Lord Gambier at all, *not even to Lord Mulgrave*, to whom I only expressed an intention of opposing a parliamentary vote of thanks. It was the Board of Admiralty who accused him. Here are their accusations in full :—

By the Commissioners for executing the office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, &c.

"Whereas Admiral the Right Hon. Lord Gambier has, by his letter to our Secretary, of the 30th of May, 1809, requested that his conduct, as Commander-in-chief of the Channel Fleet employed in Basque Roads, between the 17th day of March and the 29th day of April, 1809, may be inquired into by a court-martial :

"And whereas, by the log-books and minutes of signals of the 'Caledonia,' 'Impérieuse,' and other ships employed on that service *it appear to us* that the said Admiral Lord Gambier, on the 12th day of the said month of April, the enemy's ships being then on shore, and the signal having been made that they could be destroyed, did, for a considerable time, neglect or delay taking effectual measures for destroying them: We, therefore, in compliance with his lordship's request, and *in consequence of what appears in the said log-books and minutes of signals*, think fit that a court-martial shall be assembled for the purpose of examining into his lordship's conduct, and trying him for the same: We send you herewith his lordship's said letter, and also his letter of the 10th of the said month therein referred to, together with an attested copy of a letter of our Secretary, dated the 29th, of last month, and addressed to Lord Cochrane, and his lordship's reply thereto, with the log-books and minutes of signals above-mentioned; and we do hereby require and direct you to assemble a court-martial on Monday the 19th day of this month (if the witnesses shall be then ready, and if not then ready, as soon after as they shall be so) to try the said Admiral the Right Hon. Lord Gambier, for his conduct in the instance hereinbefore mentioned; and also to inquire into his whole conduct as Commander-in-chief of the Channel Fleet employed in Basque Roads, between the 17th day of March and the 29th day of April, 1809, and to try him for the same accordingly.—Given under our hands the 5th day of June, 1809.

(Signed)

"MULGRAVE.

"R. BICKERTON.

"WM. DOMETT.

"R. MOORSOM.

"To Sir Roger Curtis, Bart., Admiral of the White, and Commander-in-chief of His Majesty's ships and vessels at Spithead and in Portsmouth Harbour.

"By command of their Lordships,

"W. W. POLE."

There is nothing here from which it can be inferred that—to use Lord Gambier's own words in his defence—I had driven him "to defend himself against the *loose and indirect accusations* of an officer so much his inferior in rank." I had made no accusation whatever against him, having merely and only declared that the service rendered was not worth the thanks of parliament; the frequency of such thanks for trifling service being at that period so notorious as to become subject for sarcasm, as will

appear in the next chapter. Had Lord Gambier construed my parliamentary opposition rightly, he might have thanked me for saving him from himself, and would have done so, had not his peculiar failing, vanity, demanded an ovation for services which under evil advice he had prevented from being fully consummated. So far from accusing Lord Gambier, *I was ordered by the Admiralty to do so*, and refused, to my own detriment;* telling the Board *to go to the logs of the fleet, and frame their own accusations, if they had any*. Yet, even this consideration did not prevent Lord Gambier from giving utterance to the following bombast:—

“Whether Lord Cochrane supposed that he might with impunity endeavour to lower me in the opinion of my country and of my sovereign, signal marks of whose favour had at that instant been exclusively conferred upon himself,—whether his Lordship thought to *raise his own reputation at the expense of mine*,—and whether he expected that his *threat* would intimidate me to silence, I know not.” (*Minutes*, p. 108.)

How could I “raise my own reputation” at the expense of Lord Gambier, who had, in his first despatch, said that my conduct in the action of Aix Roads “could not be exceeded by any feat of valour hitherto achieved by the British navy;” though in his second despatch, substituted for the first after his return to England, and that too by order of the Board of Admiralty, he only remembered that I “lay with my ship about three miles from the enemy!” His lordship was not once within gunshot of the enemy, whilst my frigate was throughout engaged, and for some time single-handed, against two line-of-battle ships, and a fifty-gun ship, the ‘Calcutta,’ which I captured.

So far from “raising my reputation at the expense of Lord Gambier’s,” I voluntarily stated on the court-martial, that “the feelings of Lord Gambier for the honour and interest of his country were as strong as my own.” (*Minutes*, p. 40.) For which mark of good nature, his lordship said in his defence, that even “in the present proceedings, Lord Cochrane stands in a situation only as an officer *under my command*!” (*Minutes*, p. 107); the meaning of which evidently was that I ought not to say anything but by order. The expression could not have had any other meaning.

I will not enter further into Lord Gambier’s unfounded recriminations upon myself, further than to remark, that even

* See p. 254.

had they any foundation, in no way did they bear upon the subject of the trial, much less were they in any way connected with his defence to the inquiry as to *why it was, that with a favourable wind, a rising tide, and plenty of water, he had refrained from attacking eleven ships helplessly ashore, allowing all but three to escape?* This was the inquiry before the court, which, departing from the subject of inquiry, connived at its being substituted for re-creminations on me for accusing Lord Gambier—though I had never done so.

Upon the real point Lord Gambier in his defence wisely abstained from trusting himself, except in such terms as the following. “If he had sent in any ships, and they should have been necessitated to remain a whole tide in the Roads of Aix; if they had been crippled in going in; if the wind, which was favourable for carrying them in, should not have shifted so as to bring them out again; and that even, if the wind were fair and they should lose their foremasts, the crews would not have been able to get the ships before the wind.” To this I will add that “if,” instead of conjuring up these absurd dangers to be apprehended from an enemy of whom Lord Gambier had said to Captain Broughton, that they were “*already destroyed*,” his lordship had sent in ships to finish the work, the court-martial would never have been heard of, and he would have enjoyed a legitimate triumph. I was not his enemy. Those who persuaded him not to second my efforts were so unquestionably.

Quitting these “ifs,” and calculations of possible risk and conjectural disasters, one or two points professionally connected with the defence remained to be noticed.

Lord Gambier knew, that during the ebb and rising tide, the enemy's ships ashore were preparing to warp off with the flood, and he also knew that the only two enemy's ships at anchor, the ‘Foudroyant’ and ‘Cassard,’ which at the court-martial were converted into bugbears to the whole British fleet, would be prepared in case of the attack which they naturally expected, to cut or slip, and so run for the mouth of the Charente as they did, the moment the ships aground had warped off and escaped.

When the British fleet weighed from Basque Roads, the enemy was, as Captain Broughton testified, “*panic struck*.” When, in place of proceeding straight on to the attack, the British ships came to an anchor in Little Basque Roads, the enemy, as their own writers declare, considered “*la molesse de Lord Gambier*” an unexpected stroke of good luck, and set

energetically to work to warp off their ships from the bank on which they were stranded. As Captain Broughton rightly says, had the frigates and smaller vessels been *then* sent in, and a demonstration only made of others ready to follow, the destruction of the whole must have been complete. This is neither a matter of naval tactics nor science, but a commonplace consequence. It was this which caused Captain Malcolm to say, "Had it appeared to me that there was no other chance of destroying them, but by such an attack, *I certainly think it ought to have been made.*" (*Minutes*, p. 211.) And again, "Had they been attacked by the British ships, they could not, in my opinion, *have been warped off from the shore*, as to do so it was necessary to lay out anchors to heave them off." (*Ibid.*) There are no "*ifs*" or contingent disasters in Captain Malcolm's opinion, which, as Captain Hutchinson pertinently remarks, was that of every officer in the fleet.

But even after the enemy's ships had escaped, and the two at anchor, the 'Foudroyant' and 'Cassard' *had* run for the Charente, the commander-in-chief allowed an hour and a half to escape before a single ship was sent into the inner roads, nor would any have been sent at all had not I taken the 'Impérieuse' in alone, and then hoisted the signal "In want of assistance." Had not this been done, not a single ship of the enemy's fleet would have been destroyed, unless from the impossibility of getting her again afloat, and I am not aware that any such instance occurred.

To excuse this neglect, the hypothesis of banks and shoals, in the charts of Messrs. Stokes and Fairfax was resorted to, for they neither existed in the French charts nor in reality. Coupled with this was the alleged danger of point-blank shot from the dilapidated batteries!

"Scarcely," says Lord Gambier, "had the 'Cæsar' reached Aix Roads, before she grounded, and lay *in a perilous situation exposed to the point-blank shot of the batteries.*" (*Minutes*, p. 128.) Unfortunately for this hypothesis, a careful search in the 'Cæsar's' log shows that *she was never once touched by shot or shell!!* and that in place of grounding in Aix Roads, she grounded on the Boyart Sand—on her way to Aix Roads—and that she lay there beyond the reach of shot; thus proving what other officers testified, viz. that there was plenty of room in the channel to avoid shot. The 'Cæsar' only went a few feet too far, and came off next morning without damage of any kind.

A still less worthy part of the defence was, in laying the fault on myself and Captain, now Admiral Seymour, of the 'Pallas,' that nothing more was done. "Lord Cochrane," says the commander-in-chief, "*remained* in the Road of Aix, during the 13th and 14th, accompanied by the 'Pallas,' sloops and gun-brigs, but nothing was attempted by those two frigates." (*Minutes*, p. 129.) The fact was, that in the fight with the line-of-battle ships destroyed on the evening of the 12th, before any assistance came, the 'Impérieuse' was severely damaged, so much so, as to occupy the whole of the 13th in repairs. This was why Admiral Seymour so gallantly stood by us, and the 14th was occupied in vain attempts even then to get a force sent in. Had Admiral Seymour run the 'Pallas' alone amongst the line-of-battle ships which remained, at the mouth of the Charente, he would not have earned the high reputation he now enjoys. But when Lord Gambier threw out this questionable insinuation, he forgot to mention that Admiral Stopford lay at a short distance with two line-of-battle ships and half a dozen frigates, besides having our two frigates and all the smaller vessels under his command. Had Admiral Stopford been asked why, with such a force under his orders, he remained inactive, the reply would have not been to the commander-in-chief's credit. Admiral Stopford would not have been a spectator only, could he have helped himself.

I now quit this miserable subject for ever. The real fact is, that from over-persuasion of those who were jealous of a junior officer originating and being appointed to carry out plans deemed impossible by others, Lord Gambier declined to second my efforts, as Admiral Austen has plainly said in his letter previously quoted, the fact being as completely confirmed by Captain Hutchinson. This decision of his lordship was no doubt arrived at, when a council of officers were summoned on board the flag-ship, on the morning of the 12th, at which time the enemy's fleet was lying helplessly ashore.

That, after such council, his lordship never intended to make *any attack at all* on the French ships, is proved *beyond question*, by the subjoined testimony of Captain Broughton.

"A ship or two might have been placed, in my opinion against the batteries on the southern part of Ile d'Aix, so as to take off their fire AND SILENCE THEM. I mentioned to Sir H. Neale, when the signal was made for all captains in the morning, and I thought *they were attackable*—speaking of the confused state in which the French ships appeared to be at the time."

"I heard my Lord Gambier the same morning say (at this council) it had been his intention to have gone against the batteries I now speak of, but as the enemy were on shore he did not think it necessary to run any unnecessary risk of the fleet when the object of their destruction seemed to be already obtained." (*Minutes*, pp. 221, 222.)

That is, he admits my exertions to have destroyed the French fleet (which was not destroyed—all except three ships having escaped), and plainly tells Captain Broughton that *he will do nothing more!* This should for ever decide the point.

If, however, proof be still wanted of the utter worthlessness of any opposition in the power of the enemy to offer, whether by fortifications or ships, it is to be found in the following statement at the close of Lord Gambier's defence:—

"I conclude by observing that the service actually performed has been of great importance, as well in its immediate effects as in its ultimate consequences; for the Brest fleet is so reduced as to be no longer effective. It was upon this fleet the enemy relied for the succour and protection of their West India colonies, and the destruction of their ships was effected in their own harbour, in sight of thousands of the French. I congratulate myself and my country that this important service has been effected, under Providence, with the loss only of ten men killed, thirty-five wounded, and one missing. NOT EVEN ONE OF THE SMALLEST OF OUR VESSELS EMPLOYED HAS BEEN DISABLED FROM PROCEEDING ON ANY SERVICE THAT MIGHT HAVE BECOME NECESSARY." (*Minutes*, p. 138.)

By this voluntary admission of Lord Gambier I am willing to be judged—feeling certain that posterity will be as fully convinced of the inability of the enemy to inflict material damage on our ships, as was Lord Gambier himself, according to his own testimony, as quoted in the above passage. As Lord Gambier truly says, no damage worth mentioning *was* done to any of our ships, to which I shall add, that at no period after the enemy's ships were driven ashore were they in a condition to inflict damage. This his lordship not only admits, but *proves*, in the concluding paragraph of his defence, and yet the whole point of the trial is made to rest on the surmise that had Lord Gambier done *anything* against the enemy's ships aground, the destruction of the British force must have been the consequence. That is, by doing nothing the enemy's ships were destroyed; though by doing anything our own would have been in danger!!!

The subjoined chart B will show, at a glance, the whole affair.

A. 'Ocean' three-decker and group on the north-west edge of the Palles Shoal. These were permitted to escape.

B. 'Calcutta,' captured by the 'Impérieuse' and set on fire.

c. 'Ville de Varsovie,' hauled down her colours to the assisting ships. Afterwards burned.

d. 'Tonnerre,' ditto, ditto.

The last three were destroyed *on the falling tide*, but no others! These being the only enemy's ships which, after the escape of the other four, remained assailable.

e. The position taken up by the 'Impérieuse,' she being at the time of the arrival of the assisting force engaged with the 'Calcutta,' and with the other two ships.

f. Position of the British ships sent in after the 'Ocean' and group had warped off, viz. within pistol shot of the sand on which the escaped ships lay till 1 p.m. aground.

The best comment, perhaps, on the whole affair of Aix Roads is what had previously been effected with a less force than that under Lord Gambier, and when the fortifications were perfect. The subjoined historical facts should for ever put an end to all controversy on the subject, and at the same time to the untenable defence set up at this memorable court-martial.

"A well planned and vigorous attack on the coast of France being in 1757 much desired, with a view to give a decisive blow to the marine of that kingdom (*the very purpose for which Lord Gambier was sent, and which Lord Mulgrave especially impressed on me*), a fleet was ordered to be got in readiness, under the command of Sir E. Hawke, Rear-Admiral Knowles being appointed second in command. On the 20th of September the fleet made the Island of Oleron, and Sir E. Hawke ordered the Vice-Admiral to proceed to Basque Road, to stand in *as near* to Ile d'Aix as the pilot would carry him, with such ships of his division as he thought necessary, and *to batter the fort, until the garrison should either abandon it or surrender.*"

"On the 22nd of September the fleet entered the bay called the Road of Basque, between the islands of Rhé and Oleron. *About eight the next morning* Admiral Knowles in the 'Neptune,' with the 'Magnanime,' 'Barfleur,' 'America,' 'Alcide,' 'Burford,' and 'Royal William,' made sail towards Aix. Captain Howe (*afterwards Earl Howe*) in the 'Magnanime' led the van. *At half-past twelve* the fort upon the island began to fire, but he continued to advance without exchanging a single shot, continually urging his pilot to lay his ship as close to the fort as possible. *He dropped his anchor under the very walls.* It was, however, near an hour before the fort struck its colours." (*Biographical Memoir of Earl Howe in the Naval Chronicle*, vol. i. 1799; see also *Campbell's Lives of the Admirals*.)

This was the very fort, only now *in ruins*—or, to use Lord Gambier's words, "*no obstacle, from the dilapidated condition of the fortifications*"—that his lordship adduced as a reason for not endangering the British fleet by exposing the ships to its fire. Admiral Harvey had perhaps Lord Howe's exploit in his mind's eye when he told Lord Gambier to his face that "had Nelson been there, he would not have waited for fire-ships, but would

have dashed at once at the enemy;" an assertion of which there can be no doubt, though poor Harvey was dismissed the service for this and similar opinions.

Another extract, from Lord Clarendon's remarks on Admiral Blake, shall close the subject.

"He despised those rules which had been long in practice, to keep his ship and men out of danger, which had been held in former times a point of great ability and circumspection; as if the principal art requisite in the captain of a ship had been to be sure to come home safe again! He was the first man who brought ships to contemn castles on shore which had been thought ever very formidable, and were discovered by him to make a noise only, and to fright those who could be rarely hurt by them." (CLARENDON'S *History of the Rebellion*.)

CHAPTER XXVIII.

THE VOTE OF THANKS.

My motion for minutes of court-martial.—Mr. Tierney's opinion respecting them.—Mr. Whitbread's views.—The minutes indispensable.—Mr. Wilberforce on the same point.—Lord Grey's opinion of the ministry.—The vote of thanks leaves out my name, yet the credit of the affair given to me.—Inconsistency of this.—I impugn the decision of the House.—Sir Francis Burdett's opinion.—Mr. Windham's.—Lord Mulgrave turns round upon me.—His lordship's misrepresentations.—Yet admits the service to be "brilliant."—Lord Mulgrave rebuked by Lord Holland.—Earl Grosvenor's views.—Lord Melville hits upon the truth, that I, being a junior officer, was left out.—Vote of thanks in opposition to minutes.—The vote, though carried, damaged the ministry.

FROM this time forward I never trod the deck of a British ship of war at sea, as her commander, till thirty nine years afterwards I was appointed by her present most gracious Majesty to command the West India squadron; the greater portion of the interval being marked by persecution of which the court-martial on Lord Gambier was only the starting-point.

The commencement of the parliamentary session in 1810, was remarkable for its votes of thanks, and the refusal of all information which might justify them. This led Lord Milton to declare in the House of Commons, that "votes of thanks, from their frequency, had lost their value, and ceased to be an honour. They had got so much into the habit of voting thanks that it was almost an insult not to vote them." (Feb. 1st.)

On the 25th of January, 1810, Lord Grenville adverted in the House of Lords to notice of motion for a vote of thanks to Lord

Gambier, for *his* services in destroying the enemy's ships in Basque Roads; and observed that as the last intimation on the journals respecting Lord Gambier was his arrest, it would be necessary that the *minutes* of the court-martial should be laid before the House, in order to enable it to judge of the necessity for a vote of thanks. To this Lord Mulgrave strongly objected, on the ground that it "would appear as if it was wished to retry the case." Laying the sentence of acquittal only before the House, said his lordship, would be "sufficient to render their proceedings regular, and would answer all the purposes of the noble lord." With this the House was obliged to be content, though how that sentence had been obtained the reader is now made aware.

On the 29th of January, in pursuance of notice previously given, I made a motion for the production of the *minutes of the court-martial* in the House of Commons; as being, from the extraordinary discrepancy between the nature of the evidence and the sentence, absolutely necessary, in order to enable members fairly and impartially to decide whether the thanks in contemplation of ministers *were due* to Lord Gambier for the part he took in what had been by them denominated a victory in Basque Roads.*

In support of this production of the minutes, I adverted to a previously expressed opinion of the Chancellor of the Exchequer (Mr. Perceval), that Lord Gambier had been honourably acquitted, but that an officer's having done no wrong *did not entitle him to the thanks of the House*; which, if bestowed on trifling, or, indeed, on any but brilliant achievements, would dwindle into contempt, even with those on whom they should be conferred. Votes of thanks were already lightly esteemed in the navy, and I pledged myself—if the House would insist on the production of the minutes—to prove that "Lord Gambier's defence was contradicted by itself—by his lordship's official letters—and by his own witnesses; many of whom, as to essential facts, were at variance with themselves and with each other." Lastly, I undertook to prove to the House, that the chart of the 12th of April was "in a most material point false—and in every respect a fabrication."

* The action took place in Aix Roads. The only victory gained by Lord Gambier in Basque Roads was that of bringing his ships to anchor there whilst the enemy's ships were quietly heaving off from the banks on which they had been driven, nine miles distant from the fleet.

I will not inflict on the reader a recapitulation of the long discussion which followed, but the opinions of some whose names are to this day held in respect are too much to the point to be passed over. The opinion expressed by Mr. Tierney is so remarkable that I shall give it entire as reported.

"The question was not as to the noble lord's (Gambier) innocence, but as to his claim to a most distinguishing reward. The honours of the House were high things, dear and valuable; but dear only because they implied merit, valuable only because that merit must be rare. Honours too frequently bestowed lost their value, and became signs of nothing but the weakness which lavished them, or the worthlessness on which they were to be thrown away.

"He would vote for the minutes, but in his vote he begged to be understood as merely calling for matter to enable him to shape his opinion. He could mean no slight to Lord Gambier. He respected his lordship's character. He had some opportunities of hearing him spoken of, and it was always in a high strain of praise and estimation. But he had never understood that Lord Gambier took *any share* of the merit of the achievement to himself. *He had not approached the French fleet nearer than seven miles.* Ministers had praised Lord Gambier for discretion; *he hoped they had not intended this* as an instance in the enumeration of its proofs.

"It became the House to be cautious of being prodigal of honours entrusted to their distribution. Lord Cochrane ought to be heard; his judgment and character, his signal gallantry and signal honours* deserved the serious attention of the House. Even his feelings, led as they were, perhaps, astray by an excess of strength and sensibility, deserved all the attention which could be paid to them."

The opinions of Mr. Whitbread are no less remarkable. Sir C. Hamilton had said that the reason why no more ships were destroyed was solely attributable *to me!* and that he would engage to prove it to the House.† Mr. Wynne also declared, on behalf of the ministry, that the evidence was *all on Lord Gambier's side!* and opposed to it only my solitary evidence. This called up Mr. Whitbread, whose remarks are reported as follows:—

"The noble lord (Cochrane) had done wrong in returning any answer to the application of the Admiralty.‡ He ought to have told them, as a member of the House of Commons, he had no answer whatever to make; and if they thought the logs *inconclusive*, why did they not manfully come down and try the question in that House?

"The hon. gentleman (Mr. Wynne) talked of the injustice of trying

* The red ribbon.

† He however omitted so to do.

‡ Demanding the reasons for my opposition to the vote of thanks. See p. 404.

an officer in that House! Must not the merits of every officer be inquired into when it is proposed to confer on him a vote of thanks? Was he not *then* on his trial? Was not that a species of trial to which any officer must necessarily be exposed before he could receive the high honour of the thanks of Parliament? After a court-martial, by which Lord Gambier had been acquitted, did it follow, as a matter of necessity, that they must grant him the thanks of that House? He presumed this by no means followed.

"What then was the situation to which the House was reduced? The noble lord (Cochrane) had committed himself more than he had ever heard man do in that House to prove his statements respecting the conduct of Lord Gambier. And now a member (Sir C. Hamilton) came forward and said that the duty intrusted to Lord Cochrane had not been properly executed, and that if it had been he might have done far more injury to the enemy's ships. The hon. baronet (Hamilton) said that at the time Lord Cochrane was in command, and made signals to the vessels employed under him, '*some of them obeyed and others disobeyed the instructions they received, and that those who disobeyed were ultimately successful, whilst those who obeyed at the moment failed.*' The worthy baronet also added that '*those who disobeyed the signals were promoted, whilst those who obeyed were not.*' What would become of the subordination of our navy if our officers were to be informed, in any one instance, that those who obeyed the instructions of their superior officer were to be *passed by*, while those who disobeyed his signals *might expect to be promoted!*"*

"From the disagreeable situation in which the House was placed on both sides, he thought they must unavoidably have the *Minutes.*"

Various other opinions were expressed. Mr. Wilberforce thought acquiescence in my motion for the production of the minutes "*most important, as throwing a stigma on all the members of the court-martial;*" which was true enough, one of my objects being to show that the influence of a corrupt government had been used to vitiate a tribunal upon which the very safety of the navy depended. How far I should have succeeded in this may be left to the reader's judgment.†

Mr. Ponsonby would not agree to the motion, because its adoption would be a violation of the fundamental principles of jurisprudence. Sir Francis Burdett said, that "Lord Gambier's plan seemed to be a desire to *preserve his fleet*—my plan, to destroy the enemy's fleet. He had never heard that the articles of war held out an instruction to preserve the fleet. What if Nelson, at the Nile or Trafalgar, had acted on this principle?

* This admission by a ministerial partisan was true. It was chiefly owing to this that the fireships, to use Lord Gambier's words, "*failed to take effect on the enemy's ships;*" viz. by kindling them where they drifted on the shoals or went wide of the enemy's fleet.

† See Lord Grey's expressions, *infra*.

He had never heard that Lord Gambier, in the affair of Basque Roads, pretended to have done any hard, or even important service. His only merit seemed to consist in what he omitted to do."

Having thus been put on my defence by direct accusation on the part of a ministerial supporter that I had not done my duty, I implored the House to give me an opportunity, not only of defending myself, but of laying bare matters of more importance to the country than either my judgment or character. I again pledged myself to prove all I had asserted, and to stake everything that was valuable to man on the issue, at the same time telling the House that, if the minutes were granted, I would expose such matters as might make the country tremble for its safety—and entreating it well to consider that there was another tribunal to which it was answerable, that of posterity, which would try all our actions and judge impartially.

Neither argument nor a sense of justice availed, and the word "sentence" was substituted for "*minutes*," in an amendment carried by a large majority of the faction, in that day dependent on and wielded by ministers—of whose general conduct Lord Grey, in the opening debate of the session, thus thought it necessary to express himself:—"He was glad to find from the humble and chastened tone of Ministers that they *appeared to feel some remorse for the numerous miseries which, by their imbecility and misconduct, they had inflicted on their country. Had it been otherwise, he should have supposed the Almighty vengeance was hanging over this nation, and that therefore the hearts of its rulers had been hardened in proportion as their understandings were darkened.*" This merited censure from one of the great lights of that day and of all time, passed unheeded in the conduct of the session, which outdid its predecessors in acts of subserviency to the faction in power by whose supremacy it was felt that the rotten-borough interest could alone maintain itself against the national execration which was now beginning to make itself heard.

At the conclusion of the preliminary debate, the Chancellor of the Exchequer rose to move a vote of thanks to Lord Gambier for *his eminent services in destroying the French fleet in the Basque Roads!* My name, as having effected anything, was *purposely and very ingeniously left out!* but warm thanks were accorded to those who directed the fire-ships,—not against the enemy, but against the banks of the Boyart and Palles Shoals!

The passage in the vote of thanks is curious: "for their gallant and highly meritorious conduct on this glorious occasion, *particularly marked by the brilliant and unexampled success of the difficult and perilous mode of attack by fireships, conducted under the immediate superintendence of Captain Lord Cochrane!*" Yet Lord Gambier stated in his defence, "The success of the first part of the enterprise arose from the terror excited by the appearance of the fireships! *as they failed in the principal effect they were intended to produce.*" (*Minutes*, p. 131.) If the House had been in the possession of the minutes of the court-martial, would they have voted thanks to officers of whom the commander-in-chief says that they "*failed in their object?*" Not a word of thanks to me for having conducted it, but to the commander-in-chief, then twelve miles off, his only merit consisting in coming three miles nearer, anchoring out of gunshot—and to men whom a ministerial supporter had praised by saying they had been promoted for "*disobeying my signals!*" And this though the First Lord of the Admiralty had offered me his own regiment—a squadron of frigates, with *carte blanche* to do what I pleased with them—and a vote of thanks, conjointly with Lord Gambier, if I would not offer any opposition!

The value of such a vote under such circumstances had been rightly estimated, even by those who acquiesced in it. The value of the service rendered was paltry, in comparison with what it ought to have been; and the vote, either to myself or my superiors, would have been worthy of it. I had from the first refused to have my name coupled with such pretence, as a fraud on national honours.

Yet, leaving me altogether out of the vote of thanks, so long as thanks were voted, and giving them to the commander-in-chief and the officers under "my immediate direction," was a specimen of party spite so transparent that it could deceive nobody. The Chancellor of the Exchequer, either ashamed of his subject, or forgetting the purpose in hand, most unaccountably gave me in his harangue *the credit of the whole affair!* He could only have done this from two motives. Either he was too much a gentleman to permit his personal honour to be trampled under foot by his colleagues, or he could not have read the vote of thanks till he came to it at the conclusion of his speech. There is, however, a third hypothesis. The subjoined eulogy might have been pronounced to blind the House.

"The attack having thus recommenced on the night of the 13th, successively* was followed up on the next day by the noble lord (Cochrane)† with peculiar gallantry. The consequence was that no less than three sail of the line and a fifty-gun ship were completely destroyed. The House would not, therefore, he trusted, be disposed to refuse its thanks *for eminent services when performed under such great peril and risk*, whilst the enemy were possessed of the protection of their own batteries‡, and other advantages which they could bring into play for the security of their own vessels. *It was an enterprise of great and peculiar hazard and difficulty.* The result had been highly injurious to the enemy, and had the effect of not only disabling but of removing the enemy's whole squadron from the possibility of being for a considerable time available for the purposes of the naval campaign. *Was not this an object of great magnitude?*"

From this speech it is clear that the Chancellor of the Exchequer considered that the whole success was attributable to my exertions, and it is no less apparent that he contemplated my being included in the vote of thanks.

Then why leave me out of the vote of thanks, and give thanks to those who had nothing to do with this "*work of great magnitude?*"

Lord Mulgrave made no such blunder in the House of Lords, nor even mentioned my name *except in terms of reprobation*—possibly because I refused his lordship's temptation of a squadron and a regiment to hold my peace! Yet it may be that the Chancellor of the Exchequer made no mistake. His eulogy might have been merely intended to appeal to the popular ear, whilst contemptuously excluding me from the vote. Be this as it may, the trick succeeded, and my voice was drowned amidst the clamour of faction, as were the voices of those who supported me in the House.

Still I was not disposed to allow the vote to pass without further protest. I again warned the House that "even their verdict was not conclusive upon character, but that there was another tribunal to which even that House was amenable, and that the public would one day exercise a judgment, even though the House might shrink from a just decision. I inquired what

* There was no attack at all on the night of the 13th, for all the ships taken were destroyed on the afternoon and night of the 12th.

† No such thing. I followed up nothing on the 14th, except trying to evade Lord Gambier's signals of recall. A pretty clear proof that the Chancellor had never even read the despatches, and less the minutes of the court-martial!

‡ About which I did not trouble myself, and by which the 'Impérieuse' was not once hit.

portion of Lord Gambier's exploit merited thanks, or what had been the nature of his exploit? He lay at a distance—never brought his fleet to the place of action, or even within danger, and yet for such supineness he was to receive the highest honours of his country! The ground taken by ministers was frivolous—that where the subordinates admittedly deserved the praise, the superiors must receive it. *The public would one day read the minutes, though the House would not. The public would judge from the facts, though the House would not. The public would not submit to have its eyes bound because the House chose to keep theirs shut.* Let a single reason be adduced for this vote of thanks, and I was ready to vote for it—but the *reasons* which had been obtruded on the House were unworthy the name of *arguments*."

Sir John Orde, of all the supporters of the ministry, gave the only honest reason for his vote in favour of Lord Gambier, though probably his argument might not pass current at the present day. It was this:—"As thanks to his lordship have been proposed, I shall vote for them, because I entertained this opinion of Lord Gambier's conduct before the prorogation of parliament, *and their Lordships of the Admiralty appeared to do the same!!*" Poor Sir John! He must have had better reasons for his arguments than arguments for his reasons.

A few more reasonable opinions than that of worthy Sir John shall be transcribed *verbatim*, and first those of Sir Francis Burdett:—

"Sir Francis Burdett wished to know whether the service of Lord Gambier was worth the thanks of Parliament, even admitting it to have all the value attributed to it by anything but the unblushing and profuse spirit of ministerial favouritism.* He would not ask whether, on the other hand, there was not the full and decided testimony of a man competent to give his judgment, and of whose admirable valour and good fortune the House and the nation had but one opinion? He felt that in making these observations he might be treading on perilous ground. He was probably bringing on himself some charitable retorts, particularly those of a gentleman whose charity was of a very peculiar nature. But he was careless about such remarks: for though he deprecated that person's charity, he would not shun but would rather court his hostility.†

"Had there been anything said to make out a reason of the vote

* Lord Gambier had recently been a colleague of the Lords of the Admiralty.

† Mr. Croker, who did not, however, respond to the challenge of my excellent colleague. Had he done so, the House would, no doubt, have been highly amused at the result. But Mr. Croker was "wise in his day and generation."

demanded? Where was the evidence of the Commander-in-chief's *intrepidity or skill? Of that boldness which bursts its way through all obstacles? Of that genius before which obstacles vanish?* In place of this, the House was insulted with a dry catalogue of negatives, and an account as to how the noble Admiral inspected the action *at a distance of seven miles.** The question had been treated lightly; but levity was unbecoming the grave matter for their deliberation."

Mr. Windham said :—

"The thanks of that House did not deserve to be lavished on any man, unless his services were of that rank which forced itself into universal report and universal admiration. It was not to be evolved in some obscure process of official chemistry, not to be drawn out under bundles of obscure records, not to be elicited by any keen, cunning, recondite, subtilising process † beyond the practice or perception of the general mass of mankind. To be praised, it must be known; to become matter of thanks, it must be matter of public fact.

In voting thanks it was time to pause. These old rewards had become worthless. It had been said that nothing was left but the peerage, and even of that high honour ministers had been most lavish. This was the natural process when there was no distinct scale of merit and reward. It was high time to stop. They had in their hands the great provision for national virtue. They had the honours of the country intrusted to them, and it became them as legislators not to suffer its streams to be idly diverted, nor to be prodigally and profusely poured forth to slake the thirst of undeserving ambition, still panting, still insatiable."

Argument and fact were alike unavailing, and Sir John Orde's extraordinary reasons and opinions prevailed. To 161 of the Admiralty opinion, only 39 could be found alive to a true sense of legislative dignity or functions.

A few remarks on what passed in the House of Lords, where similar thanks were voted, are necessary.

Lord Mulgrave said that it was with great surprise that he first heard that a noble lord serving under the noble admiral, and a member of another House, had intimated his intention to oppose the vote of the House of Commons, on the ground that his commander had not done his duty to *the utmost*. Lord Mulgrave, of course, alluded to my conversation with him nine months before, though I never said anything of the kind to his lordship. What I said was, "that the commander-in-chief had not done anything deserving the thanks of Parliament." Had the *minutes* been allowed to be produced in either House, this would have been proved beyond question, in spite of the *sentence of acquittal*, which was alone laid on the table.

* Nine.

† Alluding to the court-martial.

Lord Mulgrave was no less unjust in attempting to convince the peers that I had done nothing but carry out *Lord Gambier's plan of fireships*; referring them to Lord Gambier's letter of March 19th, 1809, in which, instead of recommending an attack by fireships, Lord Gambier had denounced such an attempt as "*hazardous, if not desperate*,"* as would have appeared had the minutes of the court-martial been laid before them.

Mine, as I have previously explained, was not an attack by fireships alone, for such an attack could only have ended in the boarding of the fireships by the enemy's row-boats, and the murdering of the crews. It was an attack by means of explosion-vessels, which should impress the enemy with the idea that every fireship was similarly charged, so as to have the effect of deterring them from boarding, and thus the fireships, had they been properly directed, must have done their work in spite of the enemy's row-boats.

Yet Lord Mulgrave followed Lord Gambier in this "*suppressio veri*." On the very day Lord Gambier had *not* recommended the use of fireships—though Lord Mulgrave's speech would lead the House, in the absence of the minutes of the court-martial, to infer that he *had* recommended their use—the commander-in-chief had stated that an attack with fireships would be "*hazardous, if not desperate*." A curious way, truly, of recommending the use of fireships; though, had he recommended them, they would have been of no use without the explosion-vessels, the terror created by which formed the very essence of my plan, and was the sole cause even of the trifling success gained. Again, said Lord Mulgrave:—

"Lord Cochrane arrived at Plymouth. He had on a former occasion been employed in blockading Rochefort, and was acquainted with the coasts. He was, therefore, consulted, and *spoke with greater confidence of the success of the attempt than those who wrote from that quarter*. It was not, however, merely the zeal and *desire of execution* he showed, but also the talent he displayed in meeting the objections *started by naval men*, which induced the Admiralty to employ his Lordship."

This representation was thoroughly incorrect. So far from there being any "*desire of execution*" on my part, I tried every means in my power to avoid being intrusted with the execution of my own—not Lord Gambier's—plans as Lord Mulgrave insinuated. He, however, unconsciously admitted that other

See Lord Gambier's letter, p. 213.

naval men "started" such objections, that they could not be got to undertake an attack with fireships, and therefore the duty was *thrust* on me, with the addition of the explosion-vessels I had suggested, thus convincing the Admiralty Board that an attack, on my plan, was both easy of execution and certain in its result. Lord Mulgrave's expression of "those who wrote from that quarter, viz. Lord Gambier, showed that the commander-in-chief had *no confidence* in fireships. Neither had I, unless accompanied by my plan of explosion vessels.

Still persisting that this was an attack by fireships merely, Lord Mulgrave told the House that it was nothing new, which was the case, if the explosion-vessels were left out, but that—

"In the course of the last century there were two services performed by fireships; the first in 1702 at Vigo, and the second off Minorca in 1792. But *what was the present service?* Recollect, a fleet protected by *shoals and currents*, in sight of their own coast, and in presence of their countrymen. *Nothing in the annals of our Navy was more brilliant!*"

Who, then, performed that "*brilliant*" service, than which nothing could be more satisfactory? Lord Mulgrave told the House that Lord Gambier did, *whilst lying with his fleet nine miles off*, and reluctantly sending two line-of-battle ships and some frigates to my "assistance," when almost too late to rescue me from the dilemma into which, in sheer despair of anything being done, I had voluntarily rushed, with the determination that if my frigate was sacrificed, while he was calmly looking on, he should take the consequences, and what they would have been I need not say. It was this act of mine, and this only, which caused the paltry service to be effected of destroying two line-of-battle ships and a store-ship, instead of the whole enemy's fleet!

Lord Mulgrave's statements were severely rebuked by Lord Holland:—

"Lord Holland represented in strong terms the light in which ministers placed themselves before Parliament and the country by coming forward, so hastily in the first instance to procure thanks, and then suddenly sending Lord Gambier to a court-martial *with the thanks on their lips*. He thought that in a case of parliamentary thanks the case should be *clear and strong* to receive such a reward. What said Lord Cochrane in his reply to the Admiralty?* '*Look at and sift the log-books!* and not ask me for accusations.' He (Lord Holland) condemned the precipitancy of ministers, who by their measures ha!

* See p. 255.

endeavoured to *stultify the House as they had already stultified their own administration.*

"After sending Lord Gambier through the ordeal of a court-martial, Lord Mulgrave now came down, pronounced his praises, and called upon the House to vote him their thanks! It was not in this manner that the French government conducted itself towards their admirals and generals. They instituted a very severe inquiry as to this affair at Basque Roads, and many of their commanders were most severely punished.* They did not give thanks to General Monnet for his defence of Flushing, but, on the contrary, censured his conduct most severely.†

"If the barren thanks of both Houses of Parliament were *often to be voted in this way, they would soon cease to be of any value.* The noble Lord (Mulgrave) had said a great deal about the battle of Talavera, and the resistance made to the vote of thanks in that instance. Now it did not appear to him (Lord Holland) that the battle of Talavera could have anything to do with the action of Basque Roads or with the conduct of Lord Gambier. But if resistance to the vote of thanks to Lord Wellington were adduced as a proof of party motives, it might well be considered a proof of party spirit on the other side to bring forward motions of thanks for services of such a description as were those of Lord Gambier."

The remarks of other noble lords were more to the purpose:—

"Earl Grosvenor did not think the services of Lord Gambier of such a nature as to require the particular thanks of the House. He thought such should only be given on very signal and important victories. Nobody could doubt they were due to Lord Howe for his victory on the 1st of June, to Lord Duncan for his victory at Camperdown; to Lord St. Vincent for his glorious achievements near the cape which gave him his title, or to the immortal Nelson for the splendid exploits with which he had adorned our naval history. These were things which spoke for themselves, and nobody could doubt the propriety of voting thanks, as it were, by acclamation. He thought, however, *the services of Lord Gambier were of a very inferior description, and called for no such reward.*"

"Earl Darnley had no objection to the vote of thanks, but at the same time he thought the present vote one of the efforts now too often resorted to *to throw a false lustre on the Government.* To compare the services rendered by Lord Gambier at Basque Roads with

* For having, as Buonaparte afterwards said (see p. 263), suffered themselves to be terrified by the explosion-vessels, so as to take every fireship for one, and then to run their ships ashore in order to avoid the impending danger; this result forming the very essence of my plan. Poor Captain Lafon of the 'Calcutta' was shot, *not for surrendering to Lord Gambier's fleet*, but to the 'Impérieuse' frigate under my command, she being a vessel of inferior force to the 'Calcutta.'

† Though he had thwarted, but not so effectively as he might have done, the powerful armament mentioned at the commencement of the next chapter.

the battles of the Nile or Trafalgar would be the height of presumption!"

Lord Darnley was right; the vote itself, no less than the assumption of victory, where, through the pusillanimity of the commander-in-chief, none had been achieved, had no other object than to "throw a false lustre upon a Government" powerful in rotten-borough influence, but justly mistrusted by all besides, whether in parliament or out of it. Because I acted practically and conscientiously on these sentiments, I have been marked through life an object of party malevolence.

However dexterous might be the ministerial legerdemain which could convert into victory the admitted intention of the commander-in-chief *not to fight*,* Lord Melville alone exposed the real secret of the matter:—

"Lord Melville conceived the Admiralty to have acted extremely wrong in giving to Lord Cochrane a command so contrary to the usual rules of the service, and which must have been so galling and disgusting to the feelings of other officers in Lord Gambier's fleet. He respected as much as any man could the zeal, intrepidity, and enterprise of Lord Cochrane, but it was wrong to presume that these qualities were wanting in officers of that fleet of superior standing to his Lordship. Such a selection naturally put Lord Cochrane upon attempting enterprises whereby great glory might be obtained."

Here lies the gist of the whole matter. Had I devised the plan of attack, and had the Board of Admiralty acceded to my earnest wish, and left it to my seniors to execute, or had I persisted in my determination to refuse a command which the Admiralty literally forced upon me, all would have been well. Even had Lord Mulgrave fulfilled his promise of satisfying the *amour-propre* of the fleet—which he neither did nor intended to do—all might have been well. As it was, I was exposed to the full amount of hostility which formed my reason for declining the command in the first instance.

It was felt—as Admiral Austen plainly says—by the officers of the fleet in Basque Roads that a decisive victory would elevate me in national estimation over my seniors, as it unquestionably would have done. Lord Gambier was an easy man, and the "shoal and current" bugbear was successfully used to bring the fleet to an anchor in place of going on to the attack, he knowing no better, and having taken no trouble to ascertain the fact; in short confining himself to mere blockade.

* See Captain Broughton's Evidence, p. 329.

This was the fault of the commander-in-chief, but it did not justify him in bringing forward charts made up for the purpose of proving imaginary dangers from ruined fortifications and shoals where none existed.* Nor did it justify the evidence of influenced witnesses to *prove* danger—in defiance of his lordship's own admission that *no ship suffered injury!** It did not justify his lordship in assuming many things in his defence, which were not in evidence at all, and many more things that were totally at variance with the evidence contained in the minutes. To have declined pushing an advantage to victory, in deference to the jealousy of senior officers, was one thing; to trump up a story of *an old storeship breaking up a boom of more than a mile in lineal extent, and moored with a hundred anchors, was another.*

It will now be seen why the Government of that day refused the production of "*minutes* of the court-martial, almost every page of which would have rendered the defence of the commander-in-chief—or rather that of his solicitor, Mr. Lavie, for I will do Lord Gambier the justice of believing that he did not write the defence read to the court by the judge-advocate—untenable for a moment. That the ministry of that corrupt day should have resorted to such a subterfuge can, however, scarcely add to the contempt with which history already regards them.

I told the House of Commons that "*posterity would judge their acts.*" Here, then, is matter for that judgment. That it was not made public at the time arose from two causes. First, that in those days the bulk of the press was influenced by the ministry; and a jackal howl, from one end of the kingdom to the other, would have been, and was, the reward of my pains. Secondly, that until his Grace the Duke of Somerset gave me, a few months since, the chart and other official materials requisite to lay the matter before posterity, it was not in my power to do so; except, as on my previous attempts at justification, by assertions, which would have had no more effect on the public mind than now would those of the factions which persecuted me. As I belonged to no party in the House, I found no friends but the few who, like myself, stood alone in their independence of party. Those were themselves disorganised, and deceived by the well-timed eulogy of the Chancellor of the Exchequer, into the belief

* See Captain Broughton's Evidence, p. 309.

† See Lord Gambier's defence, p. 332.

that the vote of thanks included me also. The numbers of the independent party were, however, as nothing compared to the organised masses in power, or eager to place themselves in power. The debate was felt to have most seriously damaged the party to whom I was politically opposed, and that party ever afterwards made me a mark for their revenge. In this brief sentence may my whole subsequent history be comprised.

CHAPTER XXIX.

REFUSAL OF MY PLANS FOR ATTACKING THE FRENCH FLEET IN THE SCHELDT.

Refused permission to rejoin my frigate.—I am regarded as a marked man.—No secret made of this.—Additional cause of offence to the ministry.—The part taken by me on the reform question, though moderate, resented.—Motion for papers on Admiralty Court abuses.—Effect of the system.—Modes of evading it.—Robberies by prize agents.—Corroborated by George Rose.—Abominable system of promotion.—Sir Francis Burdett committed to the tower.—Petitions for his liberation intrusted to me.—Naval abuses.—Pittances doled out to wounded officers.—Sinécures cost more than all the dockyards.—My grandmother's pension.—Mr. Wellesley Pole's explanation.—Overture to quit my party.—Deplorable waste of public money.—Bad squibs.—Comparison with the present day.—Extract from "Times" newspaper.

Just at the period of the court-martial on Lord Gambier, great national expectations were excited by the combined military and naval expedition to Walcheren, under the Earl of Chatham and Sir Richard Strachan. The object of this armament, the most formidable England had ever sent forth, was the capture or destruction of the French fleet in the Scheldt, and of the arsenals and dockyards of Flushing, Terneuse, and Antwerp, at the latter of which ports Buonaparte was carrying on naval works with great vigour.

The force employed for this purpose comprised 40,000 troops, 35 sail-of-the-line, 2 fifty gun-ships, 3 forty-four gun-ships, 18 frigates, and nearly 200 smaller vessels, besides dockyard craft; the first portion of the expedition quitting the Downs on the 28th of July, 1809, and anchoring the same evening near the coast of Walcheren.

To the reader acquainted with the views expressed in the first part of this work, it will not be surprising that I viewed the departure of this force with regret; as had one half of the

troops been placed, as suggested in my letter to Lord Mulgrave, on the islands of the French coast, and had half the frigates alone been employed, as had been the 'Impérieuse' and other vessels in the Mediterranean, not a man could have been detached from Western France to the Spanish peninsula, from which the remaining portion of the British army might have driven the French troops already there.

Full of these views, and knowing that short work might be made of the Walcheren expedition, so as to liberate both the naval and military force for service elsewhere, I laid before the Admiralty a plan for destroying the French fleet and the Flemish dockyards, somewhat analogous to that which would have proved completely effectual in Basque Roads, had it been followed up by the commander-in-chief. My new plan had, moreover, received an important addition from the experience there gained, and was now as formidable against fortifications as against fleets.

The first measure of indignation against me for my late services to my country was the summary rejection of my plan, and not only this, but a refusal by Admiralty letter, given elsewhere, to proceed to the Scheldt to join my frigate, which had been sent there under the temporary command of the Hon. Captain Duncan, a most excellent and gallant officer.

Of the disastrous failure of the Walcheren expedition—the destruction of a large portion of the army by disease—and the retreat of the remainder, I shall not speak; these matters being already well known to the student of English history. I will, however, assert—and the assertion will be borne out by the plan of the attack submitted by me to the Admiralty—that had my recommendation been adopted, even though not carried out under my own supervision, nothing could have saved the French fleet in the Scheldt from a similar fate to that which had befallen their armament in Aix Roads. Even—as with the disaster in Aix Roads fresh in remembrance, is probable—had the French fleet in the Scheldt taken refuge above Antwerp, it could only have placed itself in a *cul-de-sac*; whilst there was ample military and naval force to operate against the dockyards and fortifications during the period that my appliances for the destruction of the enemy's fleet were in progress; for I in no way wished to interfere with the operations of the general or admiral commanding, but rather to conduct my own operations independently of extraordinary aid from either.

The cost of this plan to the nation would have been ten rotten old hulks, some fifty thousand barrels of powder, and a proportionate quantity of shells. The cost of the expedition, which failed—in addition to the thousands of lives sacrificed—was millions; and the millions which followed by the prolongation of the war, by the refusal of the Admiralty to put in operation any naval expedition calculated to effect a beneficial object—who shall count? So much for war when conducted by cabinets! But I was now a marked man, and the Government evidently considered it preferable that the largest force which England had ever despatched from her shores should incur the chance of failure in its object, than that the simple and easily applied plans of a junior post-captain should again jeopardise the reputation of his commander-in-chief.

It was very curious that whilst this animosity was being directed against me in my professional capacity, I had shortly before received from his Majesty George the Third, the highest decoration of the order of the Bath for my professional services.

So little secret did the Government make of their determination not to employ me again, that the public press regarded this determination as a settled matter. It was nothing that I had been instrumental in destroying the fleet so much dreaded by our West India merchants and the nation generally, or that I had offered to serve the French fleet in the Scheldt in the same way. I was now an obnoxious man, and the national expenditure of millions for defeat, was by the ministry of that day deemed preferable to cheap victory if achieved by a junior officer, to whom the Chancellor of the Exchequer—whilst denying him thanks for the service—had attributed the destruction of a fleet quite as formidable as the one in the Scheldt.

It may be scarcely credible to the present age that the Government should have openly announced such a determination. On the principle adopted throughout this work, of adducing nothing without proof, it will be necessary to place the preceding facts beyond dispute. From one of the most talented periodicals of the time I extract the following passage: “The worst injury which the radical reformers have done the country, has been *by depriving it of Lord Cochrane’s services, and withdrawing him from that career which he had so gloriously begun.*”* The pretence was, that I had *withdrawn myself!* at the time I

* Ed. An. Reg. vol. iv. p. 107.

was entreating the Admiralty to permit me to return to my frigate! This matter will shortly be made very clear.

One grave cause of offence to the ministry, in addition to my determination to oppose the vote of thanks to Lord Gambier, had been the part I took at the famous meeting held at the Crown and Anchor in the Strand. For a junior naval officer in that day to associate with such persons as Sir Francis Burdett and Major Cartwright was bad enough, but that he should *act* with them was a thing unheard of in the naval service.

At this meeting many irritating things were said, though not by me. The late trial of the Duke of York was freely handled, and Colonel Wardle, the principal promoter of it, held up to public admiration. The "borough-mongering faction," as it was forcibly termed by Sir Francis Burdett, was painted as involving the country in perpetual misfortune, and consigning to hopeless imprisonment all who ventured to expose their practices; whilst it was said, even his Majesty could not carry on his fair share of government, being compelled to choose his ministers from a faction which not only oppressed the people, but controlled the King himself.

The resolutions moved by good old Major Cartwright at this celebrated meeting were at that time regarded as treason, thought at the present day sound doctrine, viz. that "so long as the people were not fairly represented corruption must increase—our debts and taxes accumulate—our resources be dissipated—the native energy of the people be depressed, and the country be deprived of its best defences. The remedy was only to be found in the principles handed down to us by the wisdom and virtue of our forefathers, in a full and fair representation of the people in parliament.

This was perfectly true; and singularly enough, after the lapse of fifty-one years, the very same question forms the principal feature of the present session of parliament, the debates on the subject in our day differing very little from their predecessors of half a century ago, if we may credit the following picture from the *Times* leader of April 23rd, 1860. "Call Reform what you will, it is almost anything you please, except legislation. *The belligerent parties will fight and cheat one another, and both together will cheat the people!*"

If after a battle of fifty years the people have not achieved the victory which early Reformers began, I have some right to call on the public to estimate the amount of obloquy which befell

myself for my voluntary enrolment amongst the combatants on their side; and in the belief that the public of the present day will do my memory that justice which through life has been denied me, I shall not shrink from laying these matters before them. If such a picture of our present legislators be truly drawn, what must have been that of the faction against which I had to contend?

The speech made by me at the Crown and Anchor was very moderate, and indeed was spoken of by the ministerial organs as expressing less of the spirit of faction than any which had been delivered on that day. The worst part of it, so far as I can recollect, was that generally recorded, that "I hoped the time would come when ministers would not be employed all day in thinking what they were to cavil about all night, and all night in useless debate—whereby the real business of the country was neglected; so much so indeed, that when the newspapers had reached me abroad, I felt ashamed at the manner in which the government of my country was conducted."

I had even gone further in moderation, though the ministry did not know it, viz. by observing to Sir Francis Burdett that I thought he was going *too far*. His reply was characteristic. "My dear Lord Cochrane, you don't know ministers. If you wish to get anything from them, you must go for a great deal more than you want. Even then you will get little enough." "Oh!" replied I, "if those are your tactics, go on, I'll follow."

The real grievance was, however, my support of the motions in parliament which arose from the meetings at the Crown and Anchor. Mr. Madocks distinctly charged the ministry with trafficking in seats, offering to prove to the House that Lord Castlereagh had, through the agency of the honourable Mr. Wellesley, been instrumental in purchasing for Mr. Quintin Dick the borough of Cashel; and that when in the matter of the Duke of York Mr. Dick had determined to vote according to his conscience, Lord Castlereagh intimated to that gentleman the necessity of voting with the Government, or resigning his seat, which was accordingly done. The ministry declined to accept the challenge.*

* The defence to these charges consisted of what was termed eloquence, but which was nothing but empty declamation, without the slightest attempt at argument. The subjoined effort of Mr. Canning on this very occasion is a specimen:—

"Good God! was this the time to suppose that the character of the House

The subsequent motion of Mr. Curwen went further. But I must not forget that I am writing my autobiography, and not political history; I never made pretensions to parliamentary eloquence, and shall not inflict on the reader my humble efforts, excepting only those connected with the naval service.

On the 19th of February I moved for certain papers relative to the conduct of the Admiralty Court, and as my speech on that occasion was sufficiently comprehensive, I will adduce it with some slight explanations indicative of the practices which at that time were in full operation:—

“If these papers are granted it will be in my power to expose a system of abuses in the Admiralty Court unparalleled in this country, even exceeding those prevalent in Spain under the infamous administration of Godoy.

“The whole navy of England was, by the existing system, compelled to employ one individual to carry on its business before the Admiralty Court; a person perhaps in whose competence or honesty they might have no confidence. But admitting his ability and integrity to be unquestionable, still the thing was preposterous. Would any man like to employ an attorney who at the same time did business for the other side? Was such a regulation consistent with equity or common sense?

“Even the personal liberty of naval officers was answerable for some seizures, the produce of which notwithstanding went to the Crown, and the most abominable compromises sometimes took place. Whether the profits of these compromises found their way into the pockets of any particular individual I was not absolutely sure, but had evidence to presume that this was the fact. What indeed could be the design of confining the captors to one proctor, except that secrecy as to these questionable transactions may be preserved?”

One case was my own. In a previous portion of this work is narrated the capture of the ‘King George’ privateer, or pirate, for which seizure by any vessel of war a reward of 500*l.* had been issued. The ‘King George’ in part actually belonged to parties connected with the Maltese Admiralty Court. As her condemnation was unavoidable, she was condemned as a *droit* to the Crown; and costs to the extent of 600*l.* were decreed against myself, officers, and crew, for having taken her! A subject which will hereafter have to be further alluded to.

The effect of this system was to indispose officers to look

of Commons was lost, and that the most hazardous experiments should be made to restore it! It was the character and influence of that House which achieved all our blessings! and distinguished the character and condition of this country from that of any other country in the world! Was the source from which such blessings flowed to be stigmatized as a sink of corruption?”

Even at the present day this is amusing.

after prizes, and thus many an enemy's vessel was suffered to escape. One of my reasons for harassing the French on the coasts of Languedoc and Catalonia was, that it appeared more advantageous to effect something of service to the country, than to take prizes for no better end than to enrich the officers of the Maltese Admiralty Court, and at the same time to be ourselves condemned in costs for our trouble.

Some curious stories might be told of the effect of the system. It was my own practice, when any money was captured in a prize, to divide it into two portions, first, the Admiral's share, and next our own. We then buried the money in a sand-bank, in order that it might not be in our possession; and, as opportunity occurred, it was afterwards taken up, the Admiral's share being transmitted to him, our share was then distributed at the capstan, in the usual proportions. As I never made any secret of my own transactions, the Maltese officials regarded me with perfect hatred; they, no doubt, honestly believing that by appropriating our own captures to our own use, we were cheating them out of what they had more right to than ourselves! By their practices they appeared to entertain one idea only, viz. that officers were appointed to ships of war for the sole purpose of enriching them!

In a case previously narrated, where I had, in Caldagues Bay, taken thirteen vessels laden with corn for the French army in Barcelona, after having sunk two small ships of war protecting them—we sold the corn vessels and their cargo to the Spaniards for a trifle, dividing the dollars amongst us, after sending Lord Collingwood his share. We afterwards took the vessels of war, after raising them, to Gibraltar, where I purchased one as a yacht. Had I sent those corn vessels to Malta, and had them condemned there—in place of obtaining anything for the capture, a heavy bill of costs for the condemnation of such small vessels would have greatly exceeded the sum realized by their sale.

To return to my address to the House:—

"The Navy was paralysed by this corrupt system. The most insignificant vessels were condemned at an expense equal to that of the largest, so that the condemnation of a fishing lugger might be swelled up to the expense of condemning an Indiaman, the labour of capture ending in nothing but putting money into the proctor's pocket. As an instance within my own knowledge, Moses Griffin, a Jew agent at one of the outports, received two thirds out of the produce of a vessel, the remaining third being the whole share distributed for admiral, captain,

inferior officers, petty officers, seamen, and marines. What was the effect of such a system but to paralyse the Navy? It prevented exertion on the part of the officers. Could it possibly be necessary to have 120 ships of the line in commission to blockade twenty-three ships of the enemy, if proper exertions were made? To insure alacrity in harassing the shipping and commerce of the enemy, the abuses of the Admiralty must be stopped, and nothing else would be effectual."

A more startling practice was the following:—

"The commerce of the enemy was carried on to an immense extent by a system of licenses, which permitted the enemy to trade where they pleased. These licenses, issued by us, *formed an article of common sale* in Hamburgh and other places, and by means of such licenses the enemy's ships were seen coasting along by hundreds in perfect security, even filling the river Thames, contrary to the Navigation Act! We were thus raising up sailors for Buonaparte, *to whose commerce and navy our ministers were the best friends.*"

My representations were met by Sir William Scott, the judge of the Admiralty Court, with the inquiry as to "how that Court could possibly be answerable for the accounts of the agents on which I had founded my invectives? Lord Cochrane was a prompt accuser, but an unfortunate one, and he pledged his credit these accusations would prove as unfortunate as any that had preceded them."

Unluckily for Sir William Scott's allusion to my "unfortunate habit of making unfounded accusations," Mr. Rose, the treasurer of the navy, got up and officially confirmed my statements, by admitting the abuses complained of!

"This evil," said Mr. Rose, "had been so strongly represented to him, that soon after he had become treasurer to the Navy he had bestowed many days and nights in its investigation. The result was, that *he had before him no less than 153 cases, nine out of which were now before the judge of the Admiralty Court (Sir W. Scott himself!) in consequence of the enormous charges which their accounts contained.* In one case the charges of an agent at Portsmouth, who had 62,000*l.* to distribute, amounted to 9462*l.*, of which 1200*l.* was stated to be for postage!"

Mr. Rose recommended me to alter my motion, and to move for papers relative to a particular ship. I took this advice and moved for documents relating to two vessels, which was carried. Sir William Scott, however, never forgave me.

On the 9th of March, when these papers were laid before the House, I moved for others in order to elucidate them. This gave rise to another debate, in which some curious facts were brought to light by Colonel Wardle:—

“In the Navy Pay-office it was usual to promote junior clerks over the heads of men who were many years their seniors in the service. One junior clerk, eleven years in the office, was promoted to a place of 300*l.* a year, over the heads of senior clerks from twenty-seven to thirty years in the service. In another case a gentleman was obliged to retire against his will on 170*l.* per annum, and a *boy of fourteen* was appointed to his situation *with a raised salary*, and over the heads of many senior clerks. The Secretary of the Sick and Hurt Office was pensioned off at his full salary of 500*l.*, and an assistant appointed in his stead *with a salary of 1000*l.*!!*”

On the 12th of March, my respected colleague, Sir Francis Burdett, than whom a purer patriot never breathed, moved that Mr. Gale Jones should be discharged from Newgate, to which prison he had been committed by order of the House, for placarding a handbill, the contents of which were construed into a violation of the privileges of the House. Sir Francis—conceiving that the people had privileges as well as those claiming to be their representatives, or rather that the popular voice constituted the power of their representatives—demanded the release of Mr. Jones, on the ground that the House possessed no privilege to commit a man for asserting his right to discuss its measures, and that neither legally nor constitutionally could such privilege exist.

The debate which ensued, not coming within the scope of this work, may be omitted. Suffice it to say that Sir Francis published in *Cobbett's Weekly Register* a revised account of his speech, in which he declared that the House of Commons sought to set aside Magna Charta and the laws of England by an order founded on their own irresponsible power.

Accompanying this revised speech was a letter addressed by Sir Francis to his constituents of Westminster; and these coupled together the House chose to construe into a breach of their privileges also. The result as every one knows, was a motion for the committal of Sir Francis Burdett to the Tower.

My worthy colleague, however, refused to surrender. As there was no knowing to what lengths the despotism of the House might extend, a rumour of breaking into the honourable Baronet's house being prevalent, a number of his friends, myself amongst them, assembled at his residence in Piccadilly to see fair play; but one morning, during our absence, an officer, armed with the Speaker's warrant, forcibly entered, and Sir Francis was carried off to the place of his imprisonment.

It is quite unnecessary to detail these circumstances, as they

are well known to every reader of English history. On the day after my excellent colleague's capture the electors of Westminster held a meeting in Palace Yard, and adopted a petition which fell to my lot to present to the House.

The petition went even farther than had Sir Francis, by denouncing the House as "prosecutor and juror, judge and executioner," and denying its right to exercise these combined offices. It taunted the House with evading the offer of a member to prove at the bar that two of the ministers had been distinctly charged with the sale of a seat on their benches, and that such practices were "as notorious as the sun at noonday." They therefore prayed not only for the release of their member, but for a reform of the House itself, "as the only means of preserving the country from despotism."

To have committed the whole of the electors of Westminster for adopting such a petition would have been inconvenient. To have committed me for presenting it would have been scarcely less dangerous, as depriving Westminster of both its representatives. The predominant feeling in the House appeared to be that of astonishment that a naval officer should dare to meddle with such matters. One member opposed its reception at all, another begged me to withdraw it, which I refused to do; and, therefore, the House adopted the only possible alternative of "ordering it to lie on the table." The feeling towards myself may be conceived.

A similar petition from the freeholders of Middlesex was presented by Mr. Byng, and denounced by Mr. Perceval as a "deliberate and unparalleled insult to the House;" the petition denying the right of the House to imprison Sir Francis, and accusing Mr. Perceval and Lord Castlereagh by name as openly trafficking in seats; the petitioners further declaring that the presence of Sir Francis Burdett in the House was necessary to "enforce his plan of reform." Angry debate followed, but neither Sir Francis nor Mr. Jones were released till the following month of June.

On the 11th of May Mr. Croker proposed a vote for the ordinaries of the navy, when I embraced the opportunity of making what was at the time termed "one of the most remarkable speeches ever delivered in that House." The speech indeed was remarkable—not for its eloquence, for it had none, but for some very awkward statistics which *my enforced leisure* had enabled me to collect and arrange. And let me here remark,

that when my parliamentary speeches are adduced, the object is to give a faithful picture of the condition as well of the House as of the navy at that period, not as specimens of an eloquence to which I had no pretension. My parliamentary efforts, such as they are, are on record, and the reproduction of a portion may save both myself and the reader the trouble of further dilating thereon.

One besetting sin of the administration was the bestowal of pensions, which was carried on to a wonderful extent. Wives, daughters, distant relatives, &c., of all sorts of people who had votes or influence claimed a pension as a matter of right. Another besetting sin of the Government was doling out pittances scarcely sufficient for the support of life to those who had fought and bled for their country.

Bearing this in mind, the reader will readily comprehend the following "remarkable" address—as it has been termed by historical writers—to the House of Commons:—

"An admiral, worn out in the service, is superannuated at 410*l.* a year, a captain at 210*l.*, a *clerk of the ticket office retires on* 700*l.* a year! The widow of Admiral Sir Andrew Mitchell has *one third* of the allowance given to the widow of a commissioner of the navy!

"I will give the House another instance. Four daughters of the gallant Captain Courtenay have 12*l.* 10*s.* each, the daughter of Admiral Sir Andrew Mitchell has 25*l.*, two daughters of Admiral Epworth have 25*l.* each, the daughter of Admiral Keppel 24*l.*, the daughter of Captain Mann, who was killed in action, 25*l.*, four children of Admiral Moriarty 25*l.* each. That is—thirteen daughters of admirals and captains, several of whose fathers fell in the service of their country, receive from the gratitude of the nation a sum *less than* Dame Mary Saxton, the widow of a commissioner.

"The pension list is not formed on any comparative rank or merit, length of service, or other rational principle, but appears to me to be dependent on parliamentary influence alone. Lieutenant Ellison, who lost his arm, is allowed 91*l.* 5*s.*, Captain Johnstone, who lost his arm, has only 45*l.* 12*s.* 6*d.*, Lieutenant Arden, who lost his arm, has 91*l.* 5*s.*, Lieutenant Campbell, who lost his leg, 40*l.*, and poor Lieutenant Chambers, who lost both his legs, has only 80*l.*, whilst Sir A. S. Hammond retires on 1500*l.* per annum. The brave Sir Samuel Hood, who lost his arm, has only 500*l.*, whilst the late Secretary of the Admiralty retires, in full health, on a pension of 1500*l.* per annum!

"To speak less in detail, 32 flag officers, 22 captains, 50 lieutenants, 180 masters, 36 surgeons, 23 pursers, 91 boatswains, 97 gunners, 202 carpenters, and 41 cooks, in all 774 persons, cost the country 4028*l.* less than the nett proceeds of the sinecures of Lords Arden (20,358*l.*), Camden (20,536*l.*), and Buckingham (20,693*l.*).

"All the superannuated admirals, captains, and lieutenants put together, have but 1012*l.* more than Earl Camden's sinecure alone! All that is paid to the wounded officers of the whole British navy, and

to the wives and children of those dead or killed in action, do not amount by 214*l.* to as much as Lord Arden's sinecure alone, viz. 20,358*l.* What is paid to the mutilated officers themselves is *but half as much!*

"Is this justice? Is this the treatment which the officers of the navy deserve at the hands of those who call themselves His Majesty's Government? Does the country know of this injustice? Will this too be defended? If I express myself with warmth I trust in the indulgence of the House. I cannot suppress my feelings. Should 31 commissioners, commissioners' wives, and clerks have 3899*l.* more amongst them *than all the wounded officers of the navy of England?*

"I find upon examination that the Wellesleys receive from the public 34,729*l.*, a sum equal to 426 pairs of lieutenants' legs, calculated at the rate of allowance of Lieutenant Chambers' legs. Calculating for the pension of Captain Johnstone's arm, viz. 45*l.*, Lord Arden's sinecure is equal to the value of 1022 captain's arms: The Marquis of Buckingham's sinecure alone will maintain the whole ordinary establishment of the victualling department at Chatham, Dover, Gibraltar, Sheerness, Downs, Heligoland, Cork, Malta, Mediterranean, Cape of Good Hope, Rio de Janeiro, and leave 5460*l.* in the Treasury. Two of these comfortable sinecures would victual the officers and men serving in all the ships in ordinary in Great Britain, viz. 117 sail of the line, 105 frigates, 27 sloops, and 50 hulks. Three of them would maintain the dockyard establishments at Portsmouth and Plymouth. The addition of a few more would amount to as much as the whole ordinary establishments of the royal dockyards at Chatham, Woolwich, Deptford, and Sheerness; whilst the sinecures and offices executed wholly by deputy would more than maintain the ordinary establishment of all the royal dockyards in the kingdom!

"Even Mr. Ponsonby, who lately made so pathetic an appeal to the good sense of the people of England against those whom he was pleased to term demagogues, actually receives, for having been *thirteen months in office*, a sum equal to nine admirals *who have spent their lives in the service of their country*; three times as much as all the pensions given to all the daughters and children of all the admirals, captains, lieutenants, and other officers who have died in indigent circumstances, or who have been killed in the service!"

This portion of the speech, true in every figure, was not incorrectly termed "remarkable;" and it made an enemy of every sinecurist named, as I had afterwards but too good reason to know. Nevertheless, the administration had made a mistake. I was not permitted to be employed *afloat*, and was determined to effect all the good I could for the naval service by advocating its interests *ashore*.

But the worst was yet to come. My very excellent grandmother, of whom I have spoken in the first portion of this work in terms feebly expressive of her worth, had a pension of 100*l.* for the services of her gallant husband, Captain Gilchrist; and *though she had been dead eight years*, some patriotic individual

had been *drawing her pension, as though she were still living!* Given, a hundred dead widows, with a pension of 100*l.* each, and some one was at the national expense the richer by 10,000*l.* per annum!

On this point, I thus proceeded, no doubt to the intense disgust of the party enjoying the defunct pensions:—

“From the minute expenses noticed in the naval estimate, viz. for oiling clocks, killing rats, and keeping cats, I suppose that great care has been taken to have everything correct. It was, therefore, with great surprise that I found the name of my worthy and respected grandmother, the widow of the late Captain Gilchrist of the navy, continuing on the list as receiving 100*l.* per annum, *though she ceased to exist eight years ago!*”

Notwithstanding the unanswerable argument of my grandmother's pension, and equally unanswerable comparison of sinecures and naval rewards—the Secretary of the Admiralty, Mr. Wellesley Pole, considered that he satisfactorily replied to both, by pronouncing my statements “inaccurate, and my complaints inconsistent! As to the pensions to the children of admirals, Lord Cochrane must know very well that *the widow or children of an admiral were not entitled, strictly speaking, to any pension!*”

In his defence of the sinecures of his own family, Mr. Wellesley Pole was even more infelicitous:—

“Lord Cochrane has thought proper to make an attack on the Wellesley family, of which I am a member. He asserts that the Wellesleys receive from the public no less than 34,000*l.* a year in sinecure places, and then makes a calculation of *the number of arms and legs which that sum would compensate.* In answer to this, I must observe that no member of the Wellesley family, *except the noble lord at the head of it,* possesses any sinecure. That noble lord certainly did, many years ago, receive the *reversion* of a sinecure which had since fallen in, when he was about to go to a distant part of the world, in a most arduous and important public situation. He was at that time in a delicate state of health, and had a large family!”

That is, Mr. Wellesley Pole confirmed my calculation of the arms and legs. Though one sinecure had “fallen in,” he neither said when, nor what other sinecures had since accrued to the head of the family. His general reply to the matter is curious even at the present day. Mr. Wellesley Pole proceeded:—

“There is a considerable degree of eccentricity in the noble lord's manner, but at the same time he has so much good British stuff about him, and so much knowledge of his profession, that he will always be listened to with great respect. It is, therefore, the more

to be lamented that he does not follow the dictates of his own good understanding, instead of being guided by *the erroneous advice, and adopting the wild theories of others*. Let me advise him that *adherence to the pursuits of his profession*, of which he is so great an ornament, will tend more to his own honour and to the advantage of his country, than a perseverance in *the conduct which he has of late adopted, conduct which can only lead him into error*, and make him the dupe of those who use the authority of his name to advance their own mischievous purposes."

This overture was unmistakable. If I would quit Sir Francis Burdett, sell my constituents, and come over to the ministerial side, the Government would—despite the affair of Lord Gambier—put me in the way of advancement. If I did not forsake my party, the high professional character drawn by Mr. Wellesley Pole would avail me nothing—not even to get employed again! I need scarcely say that the overture,—politely insinuating, as it did, that I was to be bought—was rejected on my part.

The remainder of my speech consisted of a contrast between this reckless extravagance in pensions and sinecures, and the petty saving which rendered the navy useless:—

"Such are some of the pretended savings by which, when any are made, the country is duped. Were there a prospect of success, I could point out some savings better worthy of attention. By adopting canvass of a better quality, a saving equal to the additional income-tax imposed by the Whigs may be made, equal, in fact, to one fourth of the navy. The remaining three fourths of the ships will be more effectual than the whole, as their velocity would be increased by upwards of half a mile in seven, and they would thus be enabled to capture those vessels which at present escape from them all. The enemy distinguish our ships of war from foreign ships by the colour of the wretched canvass, and run away the moment they perceive our black sails rising above the horizon, a circumstance to which they owe their safety, even more than to its open texture. I have observed the meridian altitude of the sun through the foretopsail, and by bringing it to the horizon through the foresail, have ascertained the latitude as correctly as I could have done otherwise. The paltry increase of cost will be more than compensated by the superior strength of the canvass, on which depend the safety of the ship and the preservation of all the lives on board.

"I shall no doubt hear it urged that a remedy is about to be applied, and so it has ever since I can remember, but remedies at public boards are sought in vain."

To comprehend the preceding statements, it may be necessary to observe that we had at that time more than 1000 ships of war of all classes afloat, and that from the general bad character of their sailing and equipment, the enemy, who had little more

than a tenth of the number, fairly laughed at us. Under any circumstances, the waste of money was deplorable, but under the corrupt system by which worthless ships were then introduced into the navy, to which subject allusion has been formerly made, it was utter paralysation of every natural effort.

The amount of obloquy these efforts to raise the condition of the naval service brought on me, amongst persons who held that afloat or ashore the duty of a naval officer was implicit obedience to the ministry of the day, will be readily understood. Reply to my statements being impossible, the ministerial organs made me the subject of numerous bad squibs, one of which is subjoined:—

“You fight so well and speak so ill,
Your case is somewhat odd,
Fighting abroad you're quite at home,
Speaking at home—abroad;

Therefore your friends, than hear yourself,
Would rather of you hear;
And that your name in the *Gazette*,
Than *Journals* should appear.”

The wit is somewhat obtuse, but the feeling here expressed was no doubt sincere. The ministers indeed began to suspect that they had committed an error in preventing me from joining my ship, and shortly afterwards attempted to repair it by ordering me immediately to sea! With what effect will appear in the next chapter.

To the credit of the present age, wilful corruption has passed away, but false economy still prevails. It is only six years ago that we commenced a war without a single gun-boat, the only description of vessel that could operate with effect in the enemy's waters. The consequence was that nothing was effected. At the close of the war we built gun-boats by the score, but now that they may be required for the defence of our own coasts, only to find them so rotten, as to be in danger of crumbling under the concussion arising from their own fire.

In the absence of a more assignable reason, it may be assumed that they have been cheaply built, for it cannot for a moment be supposed that the disaster arose from want of proper supervision. The subjoined extract from a leading article of the *Times* of April 25th, 1860, will tell the story better than I can, and by that the public will see that the vice of what may be termed extravagant saving is not yet extinct:—

"Five years ago we were compelled to denounce the management of our military and naval establishments. The public and the Government have long since done us justice in this matter, the former by demanding that 'the system' which paralysed the efforts of Englishmen should be at once reformed, the latter by setting about those reforms with more or less activity. We have now, most unwillingly, to return to the charge, and to lay before our readers a sad history of mismanagement and waste.

"At this time, we are told, there are forty-seven gunboats besides mortar vessels, hauled up at Haslar yard. All the world remembers the pæan which was sung over this miniature fleet. Christened with coquettish little names, the gunboats, built according to the newest model and commanded by gallant young officers, were the pets and pride of the country. It was told how after the war they were all drawn up ready for use on the shortest notice, how they could be brought down to the water in less than an hour, and the enemy confronted in less than a week with an extempore fleet as formidable as any that could issue from Cherbourg. Twenty-two, we are told, have been repaired at a great cost, and, with the exception of coppering, are fit for launching. Nine vessels are under repair, fourteen are waiting examination. These repairs began more than three years ago, and have been continued at intervals to the present time. It will appear singular that vessels built only in 1854 and 1855 should so soon require such extensive reconstruction. Very quietly do these repairs seem to have been carried on. The decay has been attributed to the fact that the gunboats had been stripped of their copper, and placed high and dry in a current of air. But now it is announced that the decay must be attributed to another cause. Some gunboats which had been kept afloat have been hauled up, and have been found to be 'far more defective than those stored beneath the sheds, and the only conclusion which can be arrived at is that the whole of our gunboats afloat are unfit for service.' They have been constructed with the most reckless disregard to the quality of the material. If those which have been examined are a sample of the whole, we are at this moment without an efficient gunboat. Scarcely a sound piece of wood can be seen about them, every part bearing marks of 'sap,' and some of the ribs are completely enveloped with it; the pressure of the hand on their frame crumbles it to dust. Much more to this effect is given in our Naval Intelligence. The copper bolts, also, which should have gone through and been clinched on each side, 'were found to have been changed into short ends of about two inches, driven in on each side;' a fact which, if correct, convicts either the builders or their workmen of a deliberate and most disgraceful fraud.

"It may be that *the Government price was too low, and it is said that the only two sound vessels were built by a firm which lost money by their construction.* But that cannot be an excuse for the others. The public will demand a searching and unsparing inquiry into these delinquencies, and if it should appear that men holding a foremost position in the community have been guilty of such malpractices, they should be duly exposed and punished."

CHAP. XXX.

MY PLANS FOR ATTACKING THE FRENCH COAST REFUSED,
AND MYSELF SUPERSEDED.

Plans for attacking the French coast submitted to the first lord, the Right Honourable Charles Yorke.—Peremptorily ordered to join my ship in an inferior capacity.—My remonstrance.—Contemptuous reply to my letter.—Threatened to be superseded.—Mr. Yorke's ignorance of naval affairs.—Result of his ill-treatment of me.—My reply passed unnoticed, and myself superseded.

It has already been stated that the 'Impérieuse' frigate under my command had been placed by the Admiralty under the orders of the Honourable Captain Duncan, son of the distinguished admiral of that name, as acting-captain; but that permission to resume her command in the Scheldt had been refused on my application to rejoin her; no doubt with the intention of preventing me from effecting anything more which might become obnoxious to another admiral.

Now that my presence in the House of Commons had become inconvenient, the Admiralty affected to consider that *I was unjustifiably absenting myself from my ship!* and an intimation was given that I must join her *within a week!*

So far from my absence being voluntary, *it had been forced* upon me from the necessity of attending the court-martial and an acting-captain was to be put in my place. When I found that this step was determined on, I asked that Captain Duncan might be appointed, knowing that he would carry out my views in the management of a crew to which I was attached, as from long and arduous service they were attached to me. But notwithstanding this temporary appointment, I was anxiously urging on the Board of Admiralty the necessity of further operations in which it was my earnest wish to bear a part.

The correspondence which took place with the Admiralty will not only show this, but the record may prove useful in case of future wars.

On the 7th of June, 1810, I transmitted the subjoined letter to the Hon. Charles Yorke, who had succeeded Lord Mulgrave as First Lord of the Admiralty:—

“London, 7th June, 1810.

“SIR,—When I had the honour to present myself to you the other day, I used the freedom to submit to your judgment the mode by which the

commerce of the enemy might, in my humble opinion, be greatly injured, if not completely ruined, and that such mode, whilst assisting the present, would be providing for the future, exigencies of the State. The subject has pressed itself so forcibly on my attention, that I am induced to address you by letter, which is perhaps the best means to avoid engaging too much of your time.

"Passing over the points I then noticed as a stimulus to the navy, which, unfortunately for this country, though for the benefit of our inveterate foe, is checked and restrained in its operations, I shall beg permission to call your attention to other parts of the subject I had then the honour to introduce.

"I am the more impelled to the intrusion by the intelligence recently received of the islands of Los Medas on the coast of Catalonia having been taken by the French, who were doubtlessly influenced by the motive *that ought to actuate us to possess ourselves of the islands on the coast of France*, or such of them as tend to aid her best interests.

"In the present state of our navy, the French rest in the fullest confidence of assured security, and are, therefore, entirely at our mercy, as regards the objects in my contemplation.

"In the present state of French security, L'Ile Groa at the mouth of the Loire, and L'Ile Dieu on the coast of Brittany, may be easily seized by 800 men, in defiance of any opposition; and by a *coup de main* a fourth part of that number would be sufficient. These islands would afford safe anchorage to our cruisers, with the wind on shore, and when, in the winter season, it is dangerous to approach them.

"The islands at the entrance of the port of Marseilles could be taken by 100 men, and their importance is demonstrable by their situation. United with the possession of one of the Hières, they would enable us to cut off the communication between that part of France which consumes the commodities of Italy, and thus the trade of Leghorn and Genoa—once of importance to us—would be lost to our enemy, who now exclusively enjoys it.

"The port of Bayonne, whence the French supply their dockyards at Rochefort and Brest with timber, may be rendered useless by sinking a few old vessels laden with stones. In like manner the anchorage of Ile d'Aix might be destroyed—the passages in the entrance of the Garonne rendered impracticable—and that of Mamusson filled up.

"Proceeding on a more extensive scale, Belle Isle offers itself to particular notice, and would be a most valuable acquisition, as it gives shelter at all times to shipping. At Cette—commanding the entrance of the canal through which the whole produce of Italy and the shores of the Mediterranean are transported to the north of the French empire—the locks might be seized on with facility, and held or blown up, in defiance of the whole power of Buonaparte now in France. The island of Elba might be reduced with as little difficulty, and as it contains two excellent harbours, and protects the anchorage in the Piombia passage, it is well calculated to interrupt all intercourse between the Roman, Italian, and Tuscan States. Were it in our hands at this moment, it would be an invaluable depôt for our manufactures, which, on cutting off the trade with France, would be in the greatest demand throughout the whole of Italy. It was given

up at the termination of the last war in ignorance—as may be presumed—of the great advantage which it affords in this respect.

“I need not suggest to you, Sir, that if the measures on which I have thus slightly touched were carried into effect, it would—even should the enemy be disposed to disturb us—require a large portion of the force *intended for the subjugation of Spain*, to be diverted from its purpose. If these measures were to be followed up by a flying naval expedition of trifling extent, and with comparatively only a handful of troops, the enemy might be held in check, or at any rate their plans elsewhere would be frustrated in part, and the remainder must become insignificant from perplexity and embarrassment.

“I submit to you, Sir, that were it not for our naval superiority, and a few thousand troops were at Buonaparte’s disposal, our coasts would not be safe—the vessels in our ports would be swept away—and very possibly the ports themselves laid in ashes. As we have at least physical powers, and more honourable incitements than Buonaparte to aid our energies and direct our objects, we ought bravely to pursue all that he would dare to attempt.

“If, Sir, these points should appear to interest you, and you should think it necessary to require of me further detail or information, I shall be happy to wait on you for that purpose at any time you may be pleased to name. I had intended to bring this subject before the House, but a variety of obvious reasons showed me the propriety of addressing you in the first instance.

“I have the honour, &c.

“COCHRANE.

“The Right Hon. Charles Yorke.”

In reply to this letter, I was told by Mr. Yorke that the acting-captain had been appointed to the ‘*Impérieuse*’ for “*my accommodation*”!! instead of Captain Duncan having been appointed from the necessity before mentioned! Mr. Yorke concluded his letter with a peremptory order for me to proceed to sea within a week:—

“Admiralty, June 8, 1810.

“MY LORD,—I had the honour this morning of receiving your Lordship’s letter of yesterday, communicating your Lordship’s opinions on various points of service connected with operations on the French coast in the Bay as well as in the Mediterranean, which appear to be nearly of the same effect with those which I had the honour of hearing from your Lordship personally some days ago.

“I beg to return you my thanks for this communication of your sentiments, and have now to inform you that as your Lordship’s ship, the ‘*Imperieuse*,’ is now nearly ready for sea, and destined for the Mediterranean, and as *the period of the session of Parliament during which your Lordship has been accommodated with an acting-captain to command the frigate in your absence (!) has now nearly reached its close*, I presume that it is your intention to join her without loss of time, and to proceed in her to join Sir Charles Cotton, who will no doubt employ your Lordship in the annoyance of the enemy and in the protection of our Allies in the manner best suited to the exigencies of the service.

"I request that your Lordship will have the goodness to inform me as early as you can *on what day next week it is your intention to join your ship*, as His Majesty's service will not admit of her sailing being much longer postponed.

"I have the honour, &c.,

"C. YORKE.

"Capt. Lord Cochrane."

The assertion that an acting-captain had been appointed to the 'Impérieuse' for my accommodation as a member of Parliament was monstrous, for after the court-martial was ended I begged to be allowed to join her; first, soon after the Walcheren expedition sailed, and again when it failed to satisfy the national expectations; even then offering to destroy the enemy's fleet as had been done in Aix Roads. I afterwards asked permission to view the siege of Flushing as a spectator only, and *was refused*, the refusal being fortunately still in my possession:—

"Admiralty, Oct. 11, 1809.

"MY DEAR LORD,—I have mentioned your request to the Naval Lords at the Board, and find it cannot be complied with.

"I am, my dear Lord,

"Your very faithful servant,

"MULGRAVE.

"The Lord Cochrane."

Notwithstanding Mr. Yorke's version of the reason of my absence from the 'Impérieuse,' I determined to make one more effort for permission to carry out my plans for harassing the enemy's coast, and thereby preventing them from forwarding troops to Spain. My object was to get two or three frigates and a few troops under my command. Had I been able to accomplish this, what had been effected with the 'Impérieuse' alone on the coast of Catalonia will be my excuse for saying, that such a force would have been the most valuable aid to the British army in the Peninsula.

Preferring, therefore, the service which I was desirous to render to my country to my own wounded feelings, I addressed another letter to Mr. Yorke:—

"London, June 11, 1810.

"SIR,—In acknowledging the receipt of your letter of the 8th I confess much embarrassment. The measures submitted to your judgment were, in my humble opinion, of great national importance. They had in view to weaken the hands of our enemy and strengthen our own. I therefore indulged in the hope that they would have received your countenance and support.

"It must have been apparent to you, Sir, that I did not offer them on

light grounds, nor without calculated certainty of success in the event of their prosecution. I flattered myself with the hope of being employed in the execution of a service on which my previous observations would have enabled me to act with confidence.

"But although, Sir, you are pleased to thank me for my communication, you pass over in silence the objects it embraced; and do away with even the expressions of courtesy bestowed on it by asking 'on what day *in this week* it was my intention to join my ship, as His Majesty's service would not admit of her sailing being much longer postponed;' thus leaving me to conclude that in taking the liberty of approaching you I had trespassed too far, and that to prevent my importunities in future you had deemed it advisable to order me to join my ship, and further, to join Sir Charles Cotton, who, you signify, 'would no doubt employ me in the annoyance of the enemy, and in the protection of our Allies, in the manner best suited to the exigencies of the service.'

"I have throughout life been accustomed to do my duty to the utmost of my power, and my anxiety to render the performance of it acceptable to my country, whilst it stimulated me to inform myself on the best means for that purpose, may have led me to intrude on those with whom alone rests the power of encouraging my expectations. Yet I might have imagined that my motives would sufficiently plead my excuse. On the present occasion I had an additional inducement in addressing myself in the first instance to you, Sir, instead of the House of Commons. I felt that I was paying the respect due to the First Lord of the Admiralty.

"It appears, however, that I have inadvertently offended, and am sorry for it, as the public interest may be injured by the step I have taken. I should have been gratified had you done me the honour to call for details of the sketch which I laid before you, when I should have been happy to supply a properly digested plan by which I propose to secure the objects there shadowed forth.

"Had this plan been brought under your consideration, I may venture to say that you would have directed it to be carried into execution; and I should have envied any person whom you might have honoured with the charge of it; however much I might have regretted the refusal to permit me to share in it, I should nevertheless have cheerfully rendered every information required of me, or that I might have conceived necessary.

"I have now no alternative than to submit to the wisdom of the House the propositions you have thought proper to reject, or rather suffer them to die away without further notice. I do not pride myself on the accuracy of my judgment, but may be allowed to understand those matters that come under my own immediate observation better than those who have had no experience in such kind of warfare.

"The capture of Los Medas by the French has confirmed me in the opinions I gave to Lord Mulgrave on my last *reconnaissance* of Ile d'Aix, and which I had the honour to state to you in my last. I again submit that a similar course pursued by His Majesty's Government towards France would distract the purposes of Buonaparte, and injure him infinitely more than any other step likely to be taken. The capture of even one of the islands enumerated in my former letter

would be felt by him much as we should feel if a French force were to capture the Isle of Wight.

"In another part of your letter you say that I have been '*accommodated with an acting-captain to command the frigate during my absence.*' I have to assure you that it was an accommodation I never solicited, and one which, far from conveying a favour, was extremely painful to my feelings, as it prevented my going on a service which I was extremely desirous of witnessing. I even made an application to Lord Mulgrave for permission to be a spectator only of the scene of Flushing, so as to avail myself of the opportunity to acquire information about the Scheldt and its environs, but was refused, although others not connected with the service obtained leave to proceed there.

"In conclusion, I beg permission to say that I have yet some objects of moment to bring forward in Parliament, and that as there is no enterprise given to the '*Impérieuse*,' I have no wish that she should be detained for me one moment.

"I have the honour, &c.

"COCHRANE.

"The Right Hon. Chas. Yorke.

"P.S. Your letter, Sir, is marked '*private*,' which I consider as applying solely to the destination of the '*Impérieuse*,' and, of course, shall be silent on that subject."

The reply of the First Lord was that it was "*neither his duty nor his inclination to enter into controversy with me!*" A proof how the interests of a nation may suffer from the political pique of a single man in power. Not an individual of the ministry considered me incapable of carrying into execution, even with an insignificant force, the plans foreshadowed; yet they were treated with contemptuous silence, and a command to proceed immediately on a subordinate service.

"Admiralty, June 12, 1810.

"MY LORD,—I have had the honour this morning of receiving your Lordship's letter of yesterday. *As I do not conceive it either my public duty so it is by no means my private inclination to be drawn into any official controversy with your Lordship, either in your capacity of captain of a frigate in His Majesty's service or of a member of Parliament.*

"For this reason I must beg to decline replying to several parts of your Lordship's letter, in which you appear to have much misconceived my meaning, as expressed in my former letter, or to observe upon the turn and direction which your Lordship is pleased to endeavour to give to our correspondence.

"I have thought it proper to lay the two letters which I have received from your Lordship, being on points of service, before the Board of Admiralty for their consideration; and have only now to request to be distinctly informed whether or not it is your Lordship's intention to join your ship, the '*Impérieuse*,' now under orders for foreign service, and nearly ready for sea, as soon as Parliament shall be prorogued.

"I shall be much pleased to receive an answer in the affirmative,

because I should then entertain hopes that your activity and gallantry might be made available for the public service. I shall be much concerned to receive an answer in the negative, because in that case I shall feel it to be my duty to consider it as your Lordship's wish to be superseded in the command of the 'Impérieuse.

"I am, my Lord,

"Your most obedient servant,

"C. YORKE.

"Capt. Lord Cochrane."

A more unjust order from a lay lord of the Admiralty than this, to join the 'Impérieuse' and proceed on foreign service, was never issued from the Admiralty.

As a lay lord, he was wholly ignorant of naval affairs, but nevertheless refused *even to listen* to the advice of an experienced sea-officer, who had at least seen some service, and was therefore capable of offering an opinion. In place of this he ordered me to sea, without the semblance of promotion in any shape, or even the offer of a larger ship.

I had nevertheless received the warm thanks of Lord Collingwood for—as his lordship expressed it—having with a single frigate stopped a French army from penetrating into Eastern Spain. With the same inadequate means I had kept the whole coast of Languedoc in alarm, so as to prevent any combination of troops on the Spanish frontier, this voluntary service being executed in such a way as to induce Lord Collingwood to write to the Admiralty, that "*my resources seemed to have no end.*" Weighed down with fatigue and anxiety I had returned home, in the hope of relaxation, when the Admiralty, even before there had been time to pay off my ship, ordered me to prepare plans for destroying the French fleet in Aix Roads, Lord Gambier having plainly told them that, if he made the attempt, "*it must be at their peril and not his.*" I prepared those plans, with the addition of a novel element in naval warfare, and drove ashore the French fleet, which afterwards became a wreck in spite of the want of proper co-operation on the part of the admiral who had hesitated to attack them.

On my return to England I had been offered by Lord Mulgrave the thanks of parliament in conjunction with the commander-in-chief, but refused to couple my name with his. After all these services, for which I never received reward nor thanks—except the red ribbon of the Bath from the hands of my Sovereign—another First Lord ordered me to proceed to sea *in a week*, and that in a capacity as subordinate as the one

occupied before any of these services had been performed ! nay, more, in spite of my pointing out to him, how, with a trifling force, I could do far more than I had done—a proposition which he treated with contemptuous silence. There is nothing worse in the records of the Admiralty even at that period.

Nevertheless, this ill-treatment determined me not to shrink from my duty, though I was resolved that Mr. Yorke should neither get an affirmative nor a negative from me as to joining the frigate. If the command of the 'Impérieuse,' under the orders of Sir Charles Cotton, were forced upon me I would take it, but of this the Admiralty should be the judges—not I. Had Lord Collingwood lived to reach England the Admiralty would not have ventured to thrust such a command upon me after my services of the previous three years and my plans for future operations, which, as I have once or twice said, would have saved millions spent on prolonged strife in the Peninsula.

In the vain hope that the national welfare would, on calm deliberation, rise superior to petty official spite, I again addressed Mr. Yorke as follows :—

“Portman Square, June 14, 1810.

“SIR,—When I had the honour to present to you in writing those ideas that I had previously communicated verbally, it was far from my views and contrary to my intention to draw you into any unofficial correspondence. My solicitude to see the interests of my country promoted and the power of the enemy reduced were my only objects. I presumed that amidst the pressure of business any hints thrown out in desultory conversation might escape your memory, but that committed to paper they would meet your consideration. This was my chief reason for addressing you by letter.

“As a member of Parliament I never harboured a wish to intrude myself on your notice. I know that as a captain of a frigate I do not possess any consequence, and am conscious that I never assumed any. But, Sir, I submit that if information promising essential benefit to the State is procured, the source from which it flows, however insignificant, is not of the least moment.

“With an impression which I must lament, Sir, that you decline entering on those parts of my letter which alone prevailed with me to trouble you, I regret having done so. I am not in the habit of entreaty, but when the public service is to be advanced entreaty becomes a duty. I trust, therefore, that you will pardon me if I repeat the hope that you will be pleased to regard the subject in a more favourable light, and examine the grounds and principles on which my opinions are founded. I feel convinced that any other officer possessed of the knowledge necessary to form his judgment will tell you that the measures I have proposed may *to a certainty and with great ease be carried into execution* ; and that the enemy would, in consequence, be entirely crippled in his best resources.

"Had I been fortunate enough to receive the least encouragement from you I should have brought forward other objects than those noticed. Amongst these is one that has reference to the coast of Catalonia, where the maritime towns are occupied by troops of the enemy just sufficient to keep the peasantry in awe and exact from them provisions. These, by possessing the open batteries, the French convey coastways in fishing boats and small craft to their armies, which, from the scarcity of cattle, fodder, and the state of the roads, they could not obtain by any other means.

"The few troops stationed along the coast for these purposes might be seized and brought off with a trifling force employed in the way I have indicated. As a proof of this, the aide-de-camp of General Lechu, and a whole company were brought off by the marines and crew of the 'Imperieuse' alone, to whom they surrendered, well knowing that had they left the battery they would have been put to death in detail by the oppressed and irritated Spaniards.

"I am thankful, Sir, for your kindness in laying my letters before the Lords Commissioners. The flattering terms in which you speak of my humble abilities also demand my acknowledgment; and, whilst again tendering them to the service of my country, I beg permission to say that it is the first wish of my heart and the highest aim of my ambition to be actively employed in my profession, and that from former associations I prefer the 'Imperieuse' to every other frigate in the Navy. But as she is to proceed immediately on foreign service, I fear it is impossible for me to be in readiness to join her within the time specified.

"I have the honour, &c.,

"COCHRANE.

"The Right Hon. Chas. Yorke."

To this letter no reply was vouchsafed, and the Honourable Captain Duncan was confirmed in the command of the 'Impérieuse,' which in the *following month* sailed to join Sir Charles Cotton off Toulon.

Parliament being prorogued within a few days after the date of the last letter, I had no opportunity of bringing the subject before the House.

On the publication of the first portion of this work, it was said by some gentlemen of the press, when kindly reviewing its contents, that something more might have been said of that excellent and gallant admiral, Lord Collingwood. This, I admit, would have been an easy task as regards the gossip of others relative to his lordship, but that is not the principle upon which this work is conducted, every incident therein having befallen myself personally.

The fact was, that though I had the good fortune to serve under Lord Collingwood, it had never been my lot to serve with him. His lordship's first act on my joining him was, as already

narrated, to appoint me as the successor of the officer in command of the squadron in the Ionian Islands. Shortly after my arrival at Corfu, I fell in—as has also been said before—during a cruise with a number of enemy's vessels *bearing the commandant's license to trade!* and in spite of the license captured and sent them to Malta for condemnation. The commandant, as shown in the same chapter, hereupon denounced me to Lord Collingwood *as an unfit person to command a squadron.* I was immediately afterwards recalled, and, as the reader knows, was subsequently employed in harassing the French and Spanish coasts, without further personal intercourse with his lordship, except when paying a flying visit to the fleet blockading Toulon.

CHAPTER XXXI.

VISIT TO THE ADMIRALTY COURT AT MALTA.

The Maltese Admiralty court.—Its extortionate fees, and consequent loss to captors.—My visit to Malta.—I possess myself of the court table of fees.—Ineffectual attempts to arrest me.—I at length submit, and am carried to prison.—A mock trial.—My defence.—Refuse to answer interrogatories put for the purpose of getting me to criminate myself.—Am sent back to prison.—Am asked to leave prison on bail.—My refusal and escape.—Arrival in England.

AT the commencement of 1811, finding that, in place of anything being awarded to the 'Impérieuse' for numerous prizes taken in the Mediterranean, the Maltese Admiralty Court had actually brought me in debt for vicious condemnation, I determined to go to Malta, and insist on the fees and charges thereon being taxed according to the scale upon which the authority of the court in such matters was based.

It is not my intention to enter generally into the nature of the demands made by the Maltese court, but rather to point out the manner in which, after realisation of the prize funds, costs were inflicted on the officers and crews of ships of war, till little or nothing was left for distribution amongst the captors. This will give a good idea of the practices which prevailed; preventing officers from harassing the coasting trade of the enemy, as the expenses of condemning small craft were ruinous, being for the most part the same as those charged by the court for the condemnation of large vessels.

One of the customs of the court was as follows: to charge as fees *one fourth* more than the fees of the High Court of Admiralty in England; this one fourth was practically found to amount in some cases to *one half*, whilst any scale of charges by which the conduct of the court was guided remained inaccessible to the captors of prizes.

The principal officer of the court in this department was a Mr. Jackson, who held the office of marshal. This officer, however, though resident in Malta, performed his duty of marshal by deputy, for the purpose of enabling him to exercise the still more profitable office of proctor, the duties of which he performed in person. The consequence was, that every prize placed in his hands as proctor had to pass through his hands as marshal! whilst as proctor it was further in his power to consult himself as marshal as often as he pleased, and to any extent he pleased. The amount of self-consultation may be imagined. Right profitably did Mr. Proctor Jackson perform the duty of attending and consulting himself as Mr. Marshal Jackson!

Subjoined is an extract from the charges of Proctor Jackson for attending himself as Marshal Jackson:—

Attending (as proctor) in the registry and bespeaking a monition	Cr.	rls.	sc.
	2	0	0
Paid (himself as marshal) for said monition under seal, and extracting	9	0	0
Copy of said monition for service	2	0	0
<i>Attending the Marshal! (himself) and seeing and instructing him to execute the same!</i>	2	0	0
<i>Paid the Marshal (himself) for service of said monition! (on himself)</i>	2	0	0
<i>Certificate of service! (on himself)</i>	1	0	0
<i>Drawing and engrossing affidavit of service! (on himself)</i>	2	0	0
<i>Oath thereto, and attendance! (on himself)</i>	2	2	3

By what ingenious process Marshal Jackson managed to administer the oath to himself as Proctor Jackson I know not, but the above charges are actual copies from a bill in my possession, the said bill containing *many hundred* similar items besides. Some idea of its extent may be formed from the statement that, previously to a debate on the subject, I pasted together an exact copy of the different sheets of which the bill of charges was composed, formed them into a huge roll, and, amidst the astonishment and laughter of the House of Commons, one day unrolled it along the floor of the House, when it reached from the Speaker's table to the bar!!

In addition to this multitude of fees and charges, the marshal also claimed, and received as his own especial perquisite, *one half per cent.* on the inspection of prizes, *one per cent.* for their appraisement, and *two and a half per cent.* on the sale. This, with *one fourth* added as aforesaid, made just *five per cent.* on all captures for the marshal's perquisite alone, irrespective of his other fees; which, being subjected to no check, were extended according to conscience. So that, for every amount of prizes to the extent of 100,000*l.* the marshal's share, as a matter of course, would be 5000*l.*, wholly irrespective of other fees of court calculated on a similar scale. When numerous other officials had to be paid in like manner, also without check on their demands, it scarcely needs to be said that such prizes as were usually to be picked up by ships of war on the Mediterranean coast entailed positive loss on their captors; the result, as has been said, being that officers avoided taking such prizes, and thus the enemy carried on his coasting operations with impunity. In other words, the most important object of war—that of starving out the enemy's coast garrisons—was suspended by the speculations of a colonial Admiralty Court!

Foiled in procuring redress in the House of Commons, where my statements were pooh-poohed by the representatives of the High Court of Admiralty as rash and without proof, I determined on procuring, by any means whatever, such proof as should not easily be set aside.

Embarking, therefore, in my yacht 'Julie,' one of the small French ships of war captured at Caldagues and afterwards purchased by me, as before narrated, I set sail for the Mediterranean.

On arriving at Gibraltar I considered it prudent to quit my yacht, fearing that so small a vessel might fall a prey to the French cruisers, and embarked on board a brig-of-war bound to Malta.

My first demand upon the Admiralty Court on arriving at that place was, that the prize accounts of the 'Impérieuse' and 'Speedy' should be taxed according to the authorised table of fees. This revision was refused.

Entering the court one day when the judge was not sitting, I again demanded the table of fees from Dr. Moncrieff, then judge-advocate, who denied that he knew anything about them. As by Act of Parliament they ought to have been hung up in the court, I made careful search for them, but without

success. Entering the judge's robing-room unopposed, I there renewed the search, but with no better result, and was about to return tableless ; when, having been directed to a private closet, I examined that also, and there, wafered up behind the door of the judge's retiring-chamber, was the Admiralty Court table of fees ! which I carefully took down, and re-entered the court in the act of folding up the paper, previously to putting it in my pocket.

Dr. Moncrieff instantly saw what I had got, and rose from his seat with the intention of preventing my egress. Reminding him that I had no cause of quarrel with or complaint towards him, I told him that guarding the judge's water-closet formed no part of his duties as judge-advocate ; and that it was rather his place to go and tell the judge that I had taken possession of a public document which ought to have been suspended in court, but the possession of which had been denied. He seemed of the same opinion, and suffered me to depart with my prize ; this in half an hour afterwards being placed in the possession of a brother-officer who was going over to Sicily, and promised to take charge of it till my arrival at Girgenti.

This " Rape of the Table," as it was termed in a poem afterwards written on the occasion by my secretary and friend, Mr. Wm. Jackson, caused great merriment ; but the judge, Dr. Sewell, was furious, not perhaps so much at the invasion of his private closet, as at losing a document which, when laid before the House of Commons in connexion with the fees actually charged, would infallibly betray the practices of the Maltese court. A peremptory demand was accordingly made of me for the restoration of the table, this being met by my declaration that it was not in my possession. The judge, believing this to be untrue, though in fact the tables were in Sicily, finally ordered me to be arrested for an insult to the court !

The duty of arresting me devolved on my friend in duplicate, Mr. Marshal Mr. Proctor Jackson. I reminded him that the court was not sitting when the alleged offence was committed, and therefore it could be no insult. I further cautioned him that his holding the office of proctor rendered that of marshal illegal, and that if he dared to lay a finger on me, I would treat him as one without authority of any kind, so that he must take the consequences, which might be more serious to himself personally than he imagined.

The proctor-marshal, well knowing the illegality of his double

office, which was not known—much less officially confirmed in England—prudently declined the risk, on which the judge ordered the deputy marshal, a man named Chapman, to arrest me. Upon this I informed Chapman that his appointment was illegal also, first as holding the office of deputy marshal to an illegally constituted person, and secondly, from his also exercising the duplicate office of deputy auctioneer—the auctioneer being a sinecurist resident in London!! So that if, as deputy marshal combined with deputy auctioneer, he ventured to arrest me, he too must put up with the consequences.*

This went on for many days, to the great amusement of the fleet in harbour, no one being willing to incur the risk of arresting me, though I walked about Malta as usual, Chapman following me like a shadow. At length the judge insisted on the deputy marshal-auctioneer arresting me at all risks, on pain of being himself committed to prison for neglect of carrying out the orders of the court. Finding himself in this dilemma, Chapman resigned his office.

On this a man named Stevens, unconnected with any other official position, was appointed in a proper manner; and all the legal formalities being carefully entered into, I no longer resisted, as that would have been resistance to law.

The manner in which the arrest was made showed a spirit of petty malevolence quite in keeping with the dispositions of men who were making enormous fortunes by plundering the officers and crews of his Majesty's ships of war. I was on a visit to Percy Fraser, the naval commissioner, when the newly appointed deputy marshal who had watched me in was announced, and on entering told me he was come to arrest me. On demanding his credentials, I found them to be signed by Mr. Proctor Jackson, and as I wanted this proof of his acting as marshal illegally, admitted myself satisfied with them.

The deputy marshal then requested me to accompany him to an inn, where I might remain on parole. I told him that I

* The Tory organs in England said that I threatened to shoot Chapman. I need hardly say that this was a gratuitous falsehood. With the exception of the silly duel narrated in the first volume, I never either harmed, or intended to harm, a man in my life, otherwise than in action. The fact was, both these Maltese officials were illegally appointed, and they knew it. The officers and crews of the ships of war present had but too much experience of their selfish conduct, and were as well pleased as myself at the success of my method of keeping their natural enemies at bay, so that the *pseudo-marshals* were in reality frightened at their own warrants.

would do nothing of the kind, but that if he took me anywhere it must be to the town gaol, to which place he then requested me to accompany him. My reply was:—"No. I will be no party to an illegal imprisonment of myself. If you want me to go to gaol, you must carry me by force, for assuredly I will not walk."

As the room was full of naval officers, all more or less victims of the iniquitous system pursued by the Maltese court, the scene caused some merriment. Finding me inflexible, the Vice-admiralty official sent—first for a carriage, and then for a picket of Maltese soldiers, who carried me out of the room on the chair in which I had been sitting. I was then carefully deposited in the carriage, and driven to the town gaol,

The apartments assigned for my use were the best the place afforded, and were situated on the top story of the prison, the only material unpleasantness about them being that the windows were strongly barred. The gaoler, a simple worthy man, civilly inquired what I would please to order for dinner. My reply was:—"Nothing!—that, as he was no doubt aware, I had been placed there on an illegal warrant, and would not pay for so much as a crust; so that if I was starved to death, the Admiralty Court would have to answer for it."

At this declaration the man stood aghast, and shortly after quitted the room. In about an hour he returned with an order from Mr. Marshal Jackson to a neighbouring hotel-keeper, to supply me with whatever I chose to order.

Thus armed with *carte blanche* as to the *cuisine*, I ordered dinner for six; under strict injunctions that whatever was prized in Malta, as well in edibles as in wines, should be put upon the table. An intimation to the gaoler that he would be the richer by the scraps, and to the hotel master to keep his counsel for the sake of the profits, had the desired effect; and that evening a better-entertained party (naval officers) never dined within the walls of Malta gaol.

This went on day after day, at what cost to the Admiralty Court I never learned nor inquired; but, from the character of our entertainment, the bill when presented must have been almost as extensive as their own fees. All my friends in the squadron present at Malta were invited by turns, and assuredly had no ward-room fare. They appeared to enjoy themselves the more heartily, as avenging their own wrongs at the expense of their plunderers.

At length the Admiralty authorities thought it high time to decide what was to be done with me. It was now the beginning of March, and I had been incarcerated from the middle of February without accusation or trial. It was evident that if I were imprisoned much longer, I might complain of being kept out of my place in Parliament, and what the electors of Westminster might say to this, or what the House of Commons itself might say, were questions seriously to be pondered by men whose titles to office were unconfirmed. They had at length discovered that I had committed no offence beyond the fact of having been seen to fold up and put in my pocket a piece of dirty paper, but what that paper might be, or where it was, there was no evidence whatever.

At length they hit upon a notable expedient for getting rid of me, viz. to get his excellency the Governor to ask me to give up the table of fees. This I declined, telling his excellency that as I had been incarcerated illegally I would not quit the prison without trial.

It was accordingly determined that I should be put on my trial, the puzzle being as to what offence I should be accused of. The plan, as I afterwards found, was to interrogate me, and thus to entrap me into becoming my own accuser.

On the 2nd of March I was taken to the Court-house, accompanied by the naval commissioner Mr. Fraser, Captain Rowley the naval officer in command, and nearly all the commanding officers in port.

Two clerks, one a German and the other a Maltese, were said to have deposed to "seeing a person, whom they believed to be Lord Cochrane, with a folded paper." On the strength of this evidence, the following charge was made out:—"That I had entered *the Registry* of the Admiralty Court, and had there taken down the table of charges; that I had held up the same, so as to cause it to be seen by the King's advocate, Dr. Moncrieff, and had then put it in my pocket, and walked away."*

* This charge contained a wilful falsehood, viz., that the table of fees was hung in "the Registry;" the perversion of truth being proved by the remarks in Parliament of the King's Advocate, Sir John Nicholls, on the authority of the Maltese Court, as follows:—

"Lord Cochrane went to the court-room of the Vice-Admiralty, for the purpose of comparing the charges in his bills with the table of established fees, which, according to Act of Parliament, 'should be suspended in some conspicuous part of the Court.' After looking for it in vain in the Court, and in *the Registry*, whither he was first directed by His Majesty's Advocate, he was

To this I replied that "there must be an error, for as the Act of Parliament ordered that the table of charges should be displayed in open court, it could not possibly have been the paper which I saw in the judge's water-closet. That the paper showed by me to Dr. Moncrieff was folded up, so that he was necessarily ignorant of its purport or contents. Finally, I denied having taken down the table of charges, as established by Act of Parliament, from the court-room." After this reply I demanded to be confronted with my accuser, for the purpose of cross-examining him.

This the judge would not allow, but said he should consider my denial in the light of a plea of "not guilty." He then put to me a series of interrogatories, for the purpose of getting me to criminate myself; but to these I refused to reply in any way, merely repeating my assurance that his Honour must have made a mistake, it being highly improbable that the lost table of fees should have been hung anywhere but in open court, as the Act of Geo. II. prescribed, viz.: *in an open, visible, and accessible place*, which his Honour's retiring-closet was not. Dr. Sewell then admitted that the charges entered on the table of fees *had not been ratified by the King in Council!* and that he had therefore not caused them to be suspended in open court, according to the Act. On which declaration I protested against the whole proceedings as illegal.

Finding that nothing could be done, the judge then *asked me to go at large on bail!* This I flatly refused, alleging myself to be determined to remain where I was, be the consequence what it might, till the case should be decided on its merits. At this unexpected declaration the court appeared to be taken aback, but as I refused to be bailed, the judge had no alternative but to remand me back to prison.*

told that he might see it affixed on a door leading to an adjoining room. The table was certainly not in its place—but it was as certainly not concealed!" (*Speech of Sir J. Nicholls in the House of Commons, June 6th, 1811.*)

It was equally false that the King's advocate directed me where to look for the table of fees; the whole affair having taken place as narrated in this chapter.

* As it may be useful to note the despotic practices of our foreign tribunals in those days, I will transcribe a portion of the judge's speech on this occasion, as correctly reported at the time. On my demanding to cross-examine the witnesses against me, Dr. Sewell said:—

"The present course was the one practised on these occasions. He would not allow any but a direct answer to the charge made, and if that contained no crime, he should himself be responsible." [He

On arriving there, my friends were of opinion that the affair had been carried far enough, and that I should apologise for taking the table of charges, and send for it to Girgenti. To this counsel I refused to listen, as I wanted the tables for exhibition in the House of Commons, and would in no way compromise the matter.

On this the senior naval officer, Captain Rowley, said to me : —“ Lord Cochrane, you must not remain here ; the seamen are getting savage, and if you are not out soon they will pull the gaol down, which will get the naval force into a scrape. Have you any objection to making your escape ? ” “ Not the least,” replied I, “ and it may be done ; but I will neither be bailed, nor will I be set at liberty without a proper trial.”

In short, it was then arranged that my servant Richard Carter, should bring me some files and a rope ; that I should cut through the iron bars of the window ; and that when everything was in readiness, on the first favourable night, a boat should be manned at the sally-port, and that I should be taken across to Sicily, to pick up the table of fees at Girgenti.

Some three or four nights were occupied in cutting through the bars, the marks being concealed in the day-time by filling up the holes with a composition. When all was in readiness, my friends and I held our last *symposium* at the expense of the Admiralty Court. The gaoler was purposely made very tipsy, to which he was nothing loth ; and about midnight, having first lowered my bedding into the streets, to be carried off by some seaman under the direction of my servant, I passed a double rope round an iron bar, let myself down from the three-story window, pulled the rope after me, so that nothing might remain to excite suspicion, and bade adieu to the merriest prison in which a seaman was ever incarcerated.

On arriving at the harbour I found the ‘Eagle’s’ gig in readiness, and several brother-officers assembled to take leave of me.

He then said that he must administer to Lord Cochrane certain interrogatories, and on Lord Cochrane persisting in demanding his accuser or accusers, in place of replying to the questions, *the judge peremptorily required answers.*

In place of giving these, I denied the competence of the court to take cognizance of a criminal charge, asserting that it was not a Court of Record ; and that on a pretended accusation made by witnesses who could not be produced, I had been arrested, imprisoned in the common gaol, and publicly criminated, without being permitted to clear myself by being placed face to face with my accusers, &c. &c.

The night was dark, with the sea smooth as glass, it being a dead calm. When pulling along the island we came up with the English packet, which had sailed from Malta on the previous day, she having been since becalmed. As she was bound to Girgenti, to pick up passengers and letters from Naples, nothing could be more opportune; so, dismissing the gig, I went on board, and was on my way to England, doubtless, before I was missed from my late involuntary domicile at Malta. I had thus a manifest advantage in those days of slow transit, viz. that of arriving in England a month before news of my escape from Malta could be sent home by the authorities of the Admiralty Court.

As I afterwards learned, nothing could exceed the chagrin of the Admiralty officials at having lost, not only their table of charges, but their prisoner also. No one had the slightest suspicion that I had gone to sea, and that in a man-of-war's boat. Yet nothing could better show the iniquitous character of the Maltese Admiralty Court than the fact that my escape was planned in conjunction with several naval officers present in harbour, who lent me a boat and crew for the purpose; the whole matter being previously known to half the naval officers present with the squadron, and, after my escape, to not a few of the seamen, all of whom must have been highly amused at the diligent search made for me the next day throughout Valetta, but still more at the *reward offered for those who aided me in escaping*. Yet not a word transpired as to the direction I had taken, or the time occupied in searching for me on the island might have been turned to better account by an endeavour to intercept me at Gibraltar, where I remained long enough to dispose of my yacht, and amuse the garrison with a narrative of my adventures since I left the Rock two months before !

CHAPTER XXXII.

NAVAL LEGISLATION HALF A CENTURY AGO.

Inquiry into the state of the navy.—Condition of the seamen.—The real cause of the evil.—Motion relative to the Maltese court.—Its extortionate charges. My own case.—A lengthy proctor's bill.—Exceeds the value of the prize.—Officers ought to choose their own proctors.—Papers moved for.—Mr. Yorke's opinion.—Sir Francis Burdett's.—My reply.—Motion agreed to.—Captain Brenton's testimony.—French prisoners.—Their treatment.—Ministers refuse to inquire into it.—Motion on my arrest.—Circumstances attending it.—My right to demand taxation.—The Maltese judge refuses to notice my communications.—Afraid of his own acts.—Proceedings of his officers illegal.—Testimony of eminent naval officers.—Proclamation on my escape.—Opinion of the Speaker adverse.—Mr. Stephen's erroneous statement.—Motion objected to by the First Lord.—My reply.

ON my return from the Mediterranean, having no prospect of employment, I devoted myself assiduously in parliament to the course I had marked out for myself, viz. the amelioration of the condition of the naval service; whether by originating such measures of my own accord, or assisting others who had the same object in view.

At this period it was the custom to compel naval officers on foreign stations, in whatever part of the world located, to draw bills for their pay. The consequence was that the bills had to be sold at a discount sometimes amounting to 35 and 40 per cent. the whole of the loss falling on the officers negotiating the bills.

A motion to place officers of the navy upon the same footing as officers of the army was made by Captain Bennet, and strenuously opposed by the First Lord of the Admiralty, Mr. Yorke, as an innovation on *old rules and customs*, which, when once sanctioned, no one could tell where it might stop.

Upon this I inquired "what greater difficulty there could be in paying officers of the navy abroad than in paying officers of the army? There were consuls at all the foreign stations, who could certify what the rate of exchange really was. Under the present system, to my own knowledge, officers on the Gibraltar station were 25 per cent., or a fourth of their scanty pay, out of pocket, and it was with great difficulty that they could provide themselves with proper necessaries."

The effect of these remarks was, that Sir C. Pole moved as an amendment that a Committee should be appointed to inquire into

the state of the navy generally, and this was seconded by Admiral Harvey.

The debate having taken this turn gave me the opportunity of entering more minutely into particulars. I will transcribe my remarks from the reports of the time:—

“LORD COCHRANE said an increase of pay to the seamen in the navy would be of little advantage to them, so long as the present system continued. He had in his hands a list of ships of war in the East Indies. The ‘Centurion’ had been there eleven years—the ‘Rattlesnake,’ fourteen years, came home the other day, with only one man of the first crew—the ‘Fox’ frigate, under the command of his brother, had been there fifteen years—the ‘Sceptre’ eight years—the ‘Albatross’ twelve, &c. Not one farthing of pay had been given all that period to all those men. He had made a calculation on the ‘Fox’ frigate, and supposing only one hundred of the men returned, there would be due to the crew 25,000*l.*, not including the officers. What became of these sums all the while? The interest ought to be accounted for to Government or to the seamen themselves. The ‘Wilhelmina’ had been ten years, the ‘Russell’ seven years, the ‘Drake’ six years, of which the men would be exiles from England for ever, and another vessel four years. Nothing would be of greater service than the frequently changing the stations of ships, which might be done without any inconvenience, and even with much advantage to the East-India Company’s ships.

“The seamen, said Lord Cochrane, from the want of their pay, had no means of getting many necessaries of the utmost consequence to their health and comfort. They drew less prize-money under the existing acts than formerly. He instanced a vessel, the proceeds of which came to 355*l.*; by the present mode of distribution the seamen would receive 13*s.* 5½*d.*, whilst by the old mode he would have received 15*s.* 1½*d.* From the officers’ share there was deducted in all 75 *per cent.*, allowing only 10 *per cent.* for the prize courts.

“The minister had exultingly asked, what had become of the commerce of France? But he would undertake to show him, before he was 48 hours on the coast of France, at least 200 sail of the enemy’s vessels. If they were to pay more liberally the judges of the Admiralty courts, and operate a proper reformation in them, he would undertake to say that they might score off at least one third of the present ships of the navy. Ministers said there were no vessels on the coast of France, but he said there were; and, if they would go with him, he would show them how they could be got at.

“He rather thought that the inattention of Government to the profligate waste of the public money, arose from their unwillingness to believe anything contrary to their own crude notions on these subjects. He stated, and he begged the House to attend to it, for it was as important as the subject of Mrs. Clarke, that in the reign of James the Second the pay of a captain of a first-rate was 80*l.* more than at present. King William, when he came over with his Dutch troops, whom he was much more anxious to attend to than he was to attend to his subjects here, took up his pen and cut off one half of the pay. So much for foreign troops; but still, taking the advance of prices into

view, King William left far better than it is now. His lordship then again called the attention of the House to the extent to which the French coasting trade was carried on, and observed that it could not be checked, unless greater encouragement were given to the captains. If he commanded a ship on the French coast, by keeping at a good distance he might go to sleep, but in order to intercept those coasting vessels the captain must be on deck watching all night. It was impossible officers would do this merely to put money into the pockets of those who practised in the Admiralty Courts.

“MR. YORKE said that at this late period of the session it would be impossible to enter upon a subject of such detail. As to ships being detained so long upon foreign and distant stations, it was much to be regretted, but it was often unavoidable.”

These were singular reasons for not entertaining a subject of such importance. According to Mr. Yorke, it was too late in the session to conduct the war successfully, whilst the other evil complained of could only be “regretted!”

For want of better argument, I was accused of insinuating that without the chance of prize-money officers would lose a great incentive to duty. I only took human nature as I found it, and it is not in human nature to exercise unremitting vigilance and exertion without the hope of reward; much less that unceasing vigilance, by night as well as day, requiring almost constance presence on deck to intercept an enemy's coasting trade, carried on almost solely in the night, when the enemy felt secure of our vessels being run out to sea, from want of motive to remain in shore.

On the 6th of June I entered on the subject of the Maltese Court of Admiralty. As the debate in the House is sufficiently explicit, previous comment is unnecessary.

“Vice-Admiralty Court of Malta.”

“Lord Cochrane rose to make the motion of which he had given notice. The noble lord began by stating that he had before had occasion to trouble the House on this subject, but he then failed in his attempt to obtain justice, on the ground that there was not sufficient evidence of the facts stated to warrant the House in entertaining his motion. He had since, however, personally been at Malta, and had procured such a chain of evidence, that if the House should now be pleased to entertain his motion, he had no doubt but he should be able to lay before them such a connected string of evidence of flagrant abuses in the Vice-Admiralty Court at that island, as would astonish all who heard it.

“He would undertake to prove that, if the Court of Admiralty at home would do their duty, one third of the naval force now employed in the Mediterranean would be sufficient for all purposes for which it was employed there, and that a saving might be made in the naval service alone of at least five millions sterling a year. If the Committee

for which he moved last year had been granted, the evidence to prove this might now have been before the House."

There was no question at the time, and many naval officers are yet living to confirm the assertion, that the rapacity of the Admiralty Courts and their extravagant charges for adjudication and condemning prizes did prevent the interception and capture of the majority of the numerous small vessels employed in the coasting trade of the enemy, this forming to him the most vital consideration, as the means of provisioning his armies. At the commencement of the war, the capture of large vessels coming from distant parts with valuable cargoes gave so much prize-money as to render both officers and crews careless about a little exertion more or less, but when the enemy's foreign trade was destroyed nothing remained to be looked after but small craft, and as the Admiralty Court charges had increased in an inverse ratio to the worthlessness of small craft, few would run the risk of looking after them, with the certainty of small gain, and the more than probability of being brought in debt for their pains. The consequence was, that little or no destruction was offered to the enemy's coasting trade, which, important as it was to him for subsistence, ought to have been far more so to us, as its destruction would have deprived him of the means of subsistence.

Between the years 1803 and 1807, the naval establishment was increased from 200 to 600 vessels of war, notwithstanding which the coasting commerce of the enemy still went on, and it should have been obvious that when the navy was increased to upwards of 1000 ships, *nothing more was done*. The amusement of cutting out coasting vessels when under the protection of batteries ceased to operate as an incentive. The logs of frigates showed that their commanders avoided the risk of keeping their ships in contiguity with the shore *at night*, and secured a good night's rest for their men by running into the offing. Hence the enemy's coasting convoys proceeded by night, and in the day ran into some port or other place of protection. The result in the frigates' daily journal,—"*Employed as usual*," was no less true than comprehensive.

For telling such truths as these, an outcry was raised against me for depreciating the character of officers! The case was my own. I took prizes in the Mediterranean and elsewhere by dozens, for which neither my officers nor crews got anything, the proceeds being swallowed up by the Admiralty Courts. I

then turned to harassing the coast armies and forts of the enemy, without hope of reward, deeming this kind of employment the most honourable to myself, and the most advantageous to my country. So far from my pointing out the effect on the mind of officers in general being a reflection on their honour, it was only creditable to their common sense. They could not reasonably be expected to sacrifice their rest and that of their crews, or to run their ships into danger and themselves into debt, for the exclusive emolument of the Courts of Admiralty! I have no hesitation in asserting that had the ministry diminished the navy one half, and given the whole cost of the other half to the Admiralty Court officials in lieu of their charges, the remaining ships would of themselves have turned the course of the war, and their commanders would have reaped fortunes.*

These remarks will enable the naval reader to comprehend what follows. They are not intended so much for a history of past maladministration as a beacon for the future.

“The noble lord then read a letter from a captain of a vessel at the Cape of Good Hope, complaining ‘that the officers of ships of war were so pillaged by those of the Vice-Admiralty Courts, that he wished to know how they could be relieved; whether they could be allowed the liberty to send their prizes home, and how far the jurisdiction of the Vice-Admiralty Court extended; for that the charges of court were so exorbitant, it required the whole amount of the value of a good prize to satisfy them. In the case of one vessel that was sold for 11,000 rupees, the charges amounted to more 10,000. This was the case at Penang, Malacca, and other places, as well as at the Cape.’ He would not, however, wish to dwell on this, but put it to the feelings of the House, whether naval officers had any stimulus to do even their duty, when the prizes they took would not pay the fees of the Vice-Admiralty Courts merely for condemning them? It had been stated the other day at some meeting or dinner by a very grave personage, the Lord Chancellor, that the ships of France were only to be found in our ports. If that statement were believed by ministers, he should be glad to know why we at this moment kept up 140 sail of the line, and frigates and sloops of war in proportion to that number.”

What follows is very curious, as establishing the magnitude of the charges for adjudication in the Vice-Admiralty Courts. The bill for the condemnation of the ‘King George’ privateer, the first vessel taken by the ‘Impérieuse, had brought me 600 crowns in debt, and was of such magnitude that I had an exact

* In February, 1811, I pointed out to the House of Commons the monstrous fact that 107 ships of the line were in commission to watch 23! (Hansard, vol. xv.)

copy made of it, and pasted continuously together. The result will be gathered from what follows.

"His Lordship then produced the copy of a Proctor's Bill in the island of Malta, which he said measured six fathoms and a quarter, and contained many curious charges. [*The unrolling this copy caused a general laugh, as it appeared long enough to reach from one end of the house to the other.*] This Proctor, the noble lord said, acted in the double capacity of Proctor and Marshal; and in the former capacity feed himself for consulting and instructing himself as counsel, jury, and judge, which he himself represented in the character of Marshal; so that all those fees were for himself in the one character, and paid to the same himself in the other. He then read several of the fees, which ran thus:—for attending the Marshal (himself) 2 crowns, 2 scudi, and 2 reals; and so on, in several other capacities in which he attended, consulted, and instructed himself, were charged several fees to the same amount. An hon. member, not then in the house, had last year opposed the motion he had brought forward, for a Committee to inquire into this subject; but, on seeing these articles of this his own Proctor's bill, his Lordship flattered himself that the hon. member would now join in the support of the present motion. The noble lord said he had produced the copy of the bill to show the length of it. He then showed the original; and to show the equity and moderation of the Vice-Admiralty Court, he read one article where, on the taxation of a bill, the Court, for deducting fifty crowns, charged thirty-five crowns for the trouble in doing it. A vessel was valued at 8608 crowns, the Marshal received one per cent for delivering her, and in the end the net proceeds amounted to no more than 1900 crowns out of 8608—all the rest had been embezzled and swallowed up in the Prize Court. He was sorry, he said, to trespass on the time of the House, on a day when another matter of importance was to come before them. He pledged himself, however, that no subject could be introduced more highly deserving their serious attention and consideration."

I am not sure that by late treaties prize-money in future wars is not in effect abolished, though how treaties can exist during war I am not aware. If this be so, or anything like the spirit of such an arrangement, certain I am that the prestige of our navy is gone till the old system is restored. The United States Government has, I am told, had the good sense not to conform to any arrangement of the kind. If my life be longer spared I may in a future volume revert to this subject.

However, even as the matter now stands, something must be captured, and I would suggest as a remedy for this enormous Admiralty Court evil to assimilate the regulations of those courts to the courts of law. Pay the judges and officials as other judges and officials are paid. Permit officers of the navy to choose their own proctors; as suitors in other courts choose their own attorneys. It is not honourable to the Government,

nor just to those serving under its authority, to compel officers to place the litigation of all prizes—even detained neutrals—in the hands of one individual, who, under the name of proctor, may have hundreds of causes in hand at the same time. The detention of a neutral may compromise a captain's fortune in the event of an unfavourable or hurried decision, for in such cases the liability to damages falls exclusively on captains, the admirals and crews having no responsibility. For my own part, as it was neither my bounden public duty, nor safe to my personal interests, to interfere with neutrals, I avoided their detention, however apparently flagrant the violation of their nominal neutrality.

“He (Lord C.) would not trouble them with anything concerning himself, because he trusted he had a remedy elsewhere. The noble lord, then stated that altering or regulating the fees established by the King in council, for the island of Malta, was contrary to Act of Parliament, that when he went to Malta five years ago he found the fees very exorbitant; and, in order to prove to the House that the fees demanded now were fees which had been altered since the table of fees was sent out, the noble lord mentioned an instance of thirteen small vessels which had been taken by the gallant Captain Brenton, who lately lost his arm in the service, being brought into the Vice-Admiralty Court for condemnation; the charge made for doing that act (which must be done before the prizes could be sold) was 3767 crowns; but on a severe remonstrance from Captain Brenton, the Judge deducted 3504 crowns, and was glad to accept 263 crowns instead of 3767, rather than have a noise made about it in England.

“He (Lord C.) could assure the House the subject was well worthy their attention; and, if the Lords of the Admiralty knew all the circumstances, he was confident that, instead of opposing, they would support his motion. He meant to accuse the Judge, the Marshal, and the Registrar of the Court with abuse of their offices, and concluded by moving, ‘That there be laid before this House, 1. Copy of the Commission or Appointment of Dr. Sewell to officiate as Judge of the Vice-Admiralty Court of Malta. 2. Copy of the Commission or Appointment of Mr. John Jackson to the office of Marshal to the said Court. 3. List of the Proctors officiating in the said Court, with the dates of their admission. 4. Copy of the Appointment of Mr. Locker to execute the office of Registrar of the said Court. 5. Copies of the several deputations given by the Registrar and the Marshal of the said Court to their respective deputies to the end of February last; together with the notifications of those appointments to the High Court of Admiralty, or the Board of Admiralty, with the reasons assigned for such nominations or appointments. 6. Copies of any representations made to the Lords Commissioners of the Admiralty regarding the incompatibility of the situations of Proctor and Marshal, united at Malta in the person of Mr. Jackson, and the consequent correspondence with the Court of Admiralty, or the Judge of the Court of Admiralty, on that subject. 7. Copy of any Table of Fees established by his

Majesty in Council, and furnished to the Courts of Vice-Admiralty under the Act of 45 Geo. III. c. 72, or any other Act of Parliament. 8. Copy of the Table of Fees by which the charges were made on the suitors in the Court at Malta. 9. Copy of the Authority by virtue of which the Judges of the Vice-Admiralty Courts are empowered to alter or amend the Table aforesaid; or to make any other Table of Fees, to regulate the charges incurred by the suitors in that Court. 10. Copies of official Demands made, or Official Correspondence which has taken place, between the Judge of the Vice-Admiralty Court at Gibraltar, or at Malta, and the High Court of Admiralty, or the Judge of the High Court of Admiralty, requiring or regarding a Table of Fees to be sent for the guidance of those Courts, or either of them. 11. List of the number of vessels that have been prosecuted in the Court of Vice-Admiralty at Malta, and which have been liberated on payment of costs and damages or otherwise. 12. Copies of the Appointments which — Wood, Esq., late Secretary to Lord Viscount Castlereagh, holds in the island of Malta.'

"MR. YORKE said that he did not mean to object to the production of the greater part of the papers moved for by the noble lord. His motion seemed to charge with extortion the persons connected with the Admiralty Court at Malta and certainly the *primâ facies* appeared to justify it, and some reform might be necessary in some of the departments, which induced him to acquiesce in the general features of the noble lord's motion; but some difficulty might exist in the production of one or two of the papers he moved for, as they possibly implicated some private correspondence which it would be improper to produce. Many of the papers moved for must be brought from Malta, and therefore it would be impossible that the investigation could take place this session; and he hoped the noble lord would, on examination, if he found just ground, persevere in his motion, as it was certainly highly improper for the dignity of the House and the due management of the affairs of the country that a remedy should not be applied to those evils, if they existed.

"SIR JOHN NICHOLL (King's Advocate), while he admitted, with the First Lord of the Admiralty, that the case, as it stood at present, called for inquiry, thought proper at the same time, in the absence of his learned friend (Sir. W. Scott), that he had no control over the Vice-Admiralty Court of Malta in matters of prize. The appeal lay to the King in Council, and his learned friend was not in the smallest degree responsible. If the abuses charged by the noble lord existed, they ought to be corrected; but his doubt was as to the means. His Majesty in Council had authority to correct abuses as to fees, &c.; but no application, as far as he knew, had been made in that quarter. It was the fashion now to come to Parliament in such cases. As to the character of the Judge of the Prize Court at Malta, he not having been in the habit of corresponding with him could not undertake to speak positively to that point. Having practised with him for some time at the same bar, he had every reason to believe that he was a man of talent and integrity, and the noble lord knew that he was not wanting in spirit to execute what he thought right. He was absent, and he was a Judge—and no prejudices ought to be admitted against him till he had an opportunity of being heard in his defence. He hoped the noble lord

was under a misapprehension. The regulation of the fees had been probably left to the Judge because he himself could hardly have any interest in augmenting them. They could hardly fall below 2000*l.*, to which sum only he was entitled out of them. From the failure of the noble lord in substantiating charges made by him on former occasions, it might be fairly inferred that accusations preferred by him might possibly turn out to be unfounded.

"SIR FRANCIS BURDETT said he should have made no observations the subject, after having seconded the motion, but from what had fallen from the right hon. gentleman who had just sat down, that his noble colleague had not substantiated the charges he formerly brought forward. The reason of this was obvious; the noble lord had never had an opportunity given him to substantiate his charges. He had pledged himself to prove them at the bar of the House, but his motion for a committee was negatived.

"MR. ROSE said that when abuses in the Vice-Admiralty Courts abroad were detected, measures were always taken to rectify them, and proceedings were at present pending *against three of those courts*. But he defied the noble lord to point out any impropriety in the Admiralty Courts at home. After the minutest investigation, he could not find a single ground of complaint against the officers of that Court. The proctor for the navy was remarkable for his attention and integrity, and his charges were more moderate than those of any other proctor. The interests of the officers of the navy were as well attended to as those of any individual. The noble lord had failed in two charges on former occasions. He had brought charges against the Admiralty Court, and against the Government for the treatment of the prisoners of war. Both were utterly unfounded. The prisoners, as had been found on inquiry, were even more healthy than our militia regiments.

"MR. LYTTLETON said the right honourable gentleman who had spoken last *allowed abuses existed*; he did not know whether it was so or not, but he knew several officers of the navy of the highest character who complained loudly that there were, and this was in his opinion good ground for granting the present motion.

"LORD COCHRANE stated that, having complained to the Admiralty here of a grievance in being obliged to submit to exorbitant charges in the prosecution of a prize cause at Malta, the opinions of the Attorney and Solicitor-General, and other lawyers, had been put into his hands, purporting that his plan was to apply to the Judge at Malta. He wrote to the Judge accordingly, who referred him to the Proctor, as he did not choose to enter into private correspondence with suitors in causes before him. He then wrote to the Proctor, who sent for answer that it was unprecedented to demand a bill to be taxed that had been paid so long ago as 1808; so that he thought his having got the money a good reason for not parting with it. He then wrote to the Judge but got no answer, and this was the redress he got in the quarter where the crown law officers had advised him to apply. The noble lord further observed that in opposition to the Act of the 45th of the King, the Judge at Malta had not only established but altered the table of fees. An allusion was made to the spirited conduct of the Judge; but he had affidavits of Captain Maxwell and others, who were

present, that the Judge had admitted that he had no proof of the crime for which he (Lord C.) had been sent to gaol. Against him, however, he would proceed in another way, unless he should find it necessary to call for the interference of the House to bring this Judge home. He had consulted lawyers, and understood that he could not proceed against him till he came to this country. As to his former charges, he had been denied the opportunity of proving them. He concluded by repeating his charges of extortion, &c., against the Judge and Marshal.

"MR. WHITEBREAD said that if the official correspondence did not clear up the case, he would move for further papers if no one else did."

"Some alterations were then made in the motion, in consequence of a difference of opinion as to the construction of the 45th of the King, relative to the establishment of tables of fees in the Prize Courts, after which they were all carried."

Notwithstanding the admission of the First Lord of the Admiralty that the papers were necessary, and that they were produced, it is scarcely credible that the Government subsequently refused to act in the matter, thus turning a deaf ear to proofs that the enactments of the Legislature were defeated by the rapacity of distant Admiralty Courts, which continued to impound without scruple the rewards which the Legislature had decreed for effective exertion.

The naval reader who may wish to know more respecting the extortionate fees of these courts may refer generally to Capt. Brenton's "Life of Lord St. Vincent." I will extract one passage. He says (vol. ii. p. 166):—"Lord Cochrane made a statement of some facts to this effect in the House of Commons, but he might have gone much further. The proctor's bill for a prize taken by the 'Spartan,' when my brother commanded her, was 1025*l.*, which, when refused payment and taxed, *was reduced to 285*l.*!*"

Capt. Brenton thought "I might have gone much further." So I might, but with as little effect. Even the facts I did state were impudently denied or shamelessly defended.

On the 14th of June an attack was made upon me by the Secretary of the Treasury, on account of some remarks which I had deemed it my duty to make on the condition of the French prisoners at Dartmoor. In consequence of circumstances which had come to my knowledge, I visited that prison and *was refused admittance* the moment my name was announced. This did not, however, prevent my surveying the prison from an eminence on the exterior: this cursory inspection confirmed the information I had received.

"MR. ROSE observed that it would appear from these documents that

the total number of French prisoners remaining in England amounted to 45,939, and that the returns of the sick were 321. The number on parole were 2710 : and the sick 165. This statement, he conceived, would be a sufficient answer to the imputations of negligence upon the part of the Government which had been thrown out by a noble lord.

“LORD COCHRANE referred to the manner in which he had been reproached by Mr. Rose’s pointed address, and thought it incumbent upon him, considering the repeated assertions of that hon. member, that he was unable to prove facts which he had stated to the House, to justify his conduct in having given notice of a motion relative to the prison in Dartmoor ; but in which he did not persevere, for reasons very different from those assigned by the right hon. gentleman. His Lordship had never asserted that which he could not establish. The time that had elapsed would sufficiently evidence his reluctance to bring the matter to the knowledge of the public, fearing that a disclosure might add to the misfortunes of his countrymen in France.

“Having received many letters stating the condition of the prisoners of war at Dartmoor to be truly deplorable, he determined to investigate the subject ; and, having had occasion to go to Exeter, he proceeded to Launceston and other dépôts, whence he obtained the intelligence, and, being satisfied that the complaints had some foundation, he went to Dartmoor ; but was refused admittance, even in his capacity as a member of Parliament (a laugh). Though members might laugh, he thought members of Parliament should be entitled to admission there, or to any other prison in the kingdom. Having contributed to place many individuals there, he applied for permission to see the interior, but was refused leave, except to look through a grating into the outer courtyard. He found the climate of the prison accurately and faithfully described, and he was the more anxious to see the interior, owing to the refusal directly given him. He inquired the reason for building a dépôt in such a barren, elevated, and extraordinary situation, and was told that it was for the purpose of attracting inhabitants. He proceeded to Plymouth, where he obtained a plan of the prison, which fully corroborated one complaint, that the health of the prisoners had suffered by exposure to heavy rains whilst standing in an open space for several hours receiving provisions issued at a single door ; the cooking-room being several hundred feet from the prison, which then contained six thousand prisoners, divided into messes of six ; consequently one thousand were soaked through in the morning attending for their breakfast, and one thousand more at dinner. Thus a third were constantly wet, many without a change of clothes. He was told, however, that they gambled or sold them. On his second visit to Dartmoor his Lordship being again refused admittance, began to explore the exterior, and found, by a very peculiar coincidence, that the manure from this prison had been placed on the only spot in Devon whence the stercoraceous matter of the dépôt could descend on a neighbouring and elevated estate belonging to the Secretary of His Royal Highness the Prince Regent (Mr. Tyrwhitt). Had such a circumstance happened in the island of Walcheren on an estate of the Secretary of Louis Napoleon, he would not have been surprised. The prison of Dartmoor was built in the most inclement

part of all England, on the top of the highest mountain in Devonshire, involved in perpetual rains and eternal fog. That the prison was not built there on a principle of economy might be seen by inspecting the contracts for provisions, coals, and necessaries furnished at Dartmoor and at Plymouth. He thought he calculated a difference of more than seven thousand pounds a year on the provisions alone. It might be very proper, he imagined, that prisoners should not be collected in great numbers at Plymouth, but he asserted that Dartmoor depôt ought not to have been placed upon the top of the highest and most barren range of mountains in Devonshire, where it is involved in constant fog, and deluged with perpetual rain. He had relinquished his intention of entering into the matter, because he received assurances that the situation of the prisoners would be immediately attended to. He would abstain from remarking upon the manner in which Mr. Rose had taken him by surprise, and wrested from him those facts in his own defence. Had he brought that matter forward voluntarily, his Lordship would have cleared the House, to prevent publicity."

Capt. Brenton, in his "Life of Lord St. Vincent," when speaking of the treatment of our prisoners of war, bore testimony to the truth of my representations, which Mr. Rose had so emphatically denied:—

"The charge of sick and wounded prisoners of war fell into the hands of a set of villains, whose seared consciences were proof against the silent but eloquent pleading of their fellow-creatures—sick and imprisoned for no crime, in a foreign land, far away from their friends and relations." (Vol ii. p. 165.)

No one supposed the Government to be guilty of the matters complained of, but they refused to inquire into the conduct of those who were, thereby protecting them in their iniquity. I saw at Dartmoor old and *recently mutilated* bulls, covered with dust and gore, driven along the road towards the prison, leaving tracks of blood behind! Thus the contract for supplying the prisoners with *ox beef* was fulfilled by some partisan of the Government, who had *sublet* his contract to a Devon butcher. It was not always in those days that a contract was given to the tradesman who fulfilled it.

On the 18th of July I brought forward a motion on the subject of my arrest at Malta:—

"Conduct of the Vice-Admiralty Court at Malta.—Arrest of Lord Cochrane.

"LORD COCHRANE rose and said:—

"SIR,—The delay that has taken place since my return to England, and the legal authorities that I have consulted, will, I trust, evidence that I trespass on your attention with reluctance, relative to the conduct of the Judge and members of the Court of Vice-Admiralty at Malta; partly from a desire to avoid the possibility of private motives

being imputed to me, but chiefly from a conviction that Parliament should not interfere in matters cognisable in the courts of justice.

“How far, under the last impression, I am warranted in calling upon this House to exercise an authority in the present instance, will appear by the opinions of Sir A. Piggott, Mr. Holroyd, Mr. Leach, and of another learned gentleman who is not now in his place. ‘Process of the Courts,’ says Sir A. Piggott, ‘does not extend to Malta : there is no mode whilst they are abroad to compel appearance to actions here.’ The answers of the other learned gentlemen being the same in substance, I need not detain you by reading them.

“Three years have passed since I memorialised the Admiralty on this subject ; it cannot therefore be said that I have acted with precipitation. Indeed, I have had time enough to reflect, and I do assure you that I am fully aware of the responsibility which I shall incur if I fail in establishing whatever accusations I bring against a judge presiding in one of his Majesty’s courts, and against those acting under his authority ; but furnished as I am with original documents, having the signatures of the judge and members of the Court, I am not inclined to shrink from the task of proving their violation of the Acts on your table, especially of the 37th, 38th, 39th, and 41st sects. of the 45th of his present Majesty, c. 72. The first of which empowers the King in Council alone to make or alter a table of fees to regulate the charges in Courts of Vice-Admiralty, and yet the members of the Court of Malta fabricated one for themselves, which the judge subsequently altered by affixing a note in his own hand, abolishing the table *in toto*, except by reference to certain unascertained charges made in a distant court, which were not set forth. This note is as follows : ‘At a meeting of all the members of the court shortly after its arrival, for the purpose of settling what should be considered as reasonable fees, it was agreed, that in no instance they should exceed the proportion of one third more than those paid for similar services in the High Court of Admiralty in England.’—Signed ‘J. Sewell ;’ who thus assumed the authority of the King in Council, in open violation of the 37th, and in contempt and defiance of the penalties enacted by the 38th and 39th sections, which declare that ‘receiving or taking any fee or fees beyond those specified in the table aforesaid,’ that is, the table authorised by the King in Council, shall be punished by the loss of office ; and further, ‘demanding or receiving any sum or sums of money other than the fees aforesaid shall be deemed and taken to be extortion and a misdemeanour at law, and shall be punished under and by virtue of this Act.’ Words cannot convey a more distinct prohibition, and yet I hold in my hand demonstration of an opposite line of conduct being pursued by the Court. This is not all ; the law directs that the ‘Table of Fees, authorised as aforesaid, shall be suspended in some conspicuous part of the Court in which the several judges of the Vice-Admiralty Court shall hold their courts.’ At Malta, however, it was concealed, first, during five years in a drawer, and when taken therefrom in consequence of loud complaints on the subject of their charges, it was affixed, not ‘in some conspicuous part of the Court,’ not in the Court at all, but on the door of a private room behind the Registry, where suitors could have no access to it.

“Sir, the fabricating, altering, and concealing the table of fees is

perhaps, the least profligate part of their conduct. What will the House think when they find that John Jackson the marshal, who, to the knowledge of the judge, *acts also as proctor in defiance of the law*, is in the constant habit of charging his clients of the navy for attending, seeing, consulting, instructing, and admonishing himself, and this in the very teeth of the 41st section, which enacts that 'No registrar or deputy-registrar, marshal or deputy-marshal, of or belonging to any of his Majesty's Courts of Vice-Admiralty, shall, either directly or indirectly, or himself or themselves, or by any agent or agents, or any person or persons whomsoever, act or be concerned in any manner whatsoever, either as an advocate or proctor.' Mr. Jackson's charges are so ingenious that I must beg leave to read a few of them. 'Attending in the Registry and bespeaking a monition, two crowns; paid for the said monition, under seal and extracting, nine crowns; copy of the said monition for service, two crowns; attending the marshal (himself, observe,) and instructing him to serve the same, two crowns; paid the marshal for service of said monition, two crowns: certificate of service, one crown; drawing and engrossing an affidavit of service, two crowns; oath thereto and attendance, two crowns, two reals, and three scudi.' How exact! ten shillings and two-pence three farthings for an oath that he had attended on himself with a monition! One of these bills was taxed by the deputy registrar, who admitted these iniquitous charges. Yes, Sir, they were allowed and admitted by Stevens, the deputy registrar, who treats his friends with Burgundy and Champagne out of the proceeds of captures made by the navy. from which fund, John Locker, the sinecure registrar, like the sinecure registrar at home, also derives his unmerited emoluments. I ask, is it fit that the reward granted by his Majesty and the legislature to the navy, for the toil and risk which they undergo in making captures from the enemy, should be thus appropriated?

"That I had a right to demand the taxation of such a bill as that which I have shown, there can be no doubt, even if I could not produce the opinion of his Majesty's Attorney-General to that effect. Yes, the opinion of Sir V. Gibbs, and of the Solicitor-General, signed also Charles Robinson, William Battine, T. Jarvis, to all of whom the memorial which I presented to the Admiralty was referred in April, 1809. 'The expenses,' say these learned gentlemen, 'in this case do not appear to have been brought to the knowledge of the Court so as to have given the judge an opportunity of exercising his judgment upon them; that would be the proper mode of redress for grievances of this description.'

"Thus instructed, I addressed the judge on my return to Malta, in February last, soliciting that he would be pleased to direct my bill to be taxed, to which he returned the following answer, addressed on His Majesty's service: 'My Lord,—In reply to your letter of yesterday's date, I beg leave to refer you to your proctor for the information you are desirous of, it not being the practice of the Vice-Admiralty Court here, any more than the Court of King's Bench in England, to enter into private correspondence with suitors on the subject of their suits or of any matters connected with them.—Signed—J. Sewell.'

'It appeared extraordinary that I should be referred to the person complained of, as judge in his own cause. Still, however, in compli-

ance with Dr. Sewell's advice, I directed my agent to make the application, and the following, as might have been anticipated, was the ingenious gentleman's reply : ' Sir,—‘ My bill in this case having been delivered to you so long ago as the 8th of August, 1808, and having been paid by you soon after, I was a good deal surprised at your note, received yesterday, informing me that Lord Cochrane wishes to have the said bill taxed, and therefore I beg that you will apprise his Lordship that it is a thing quite unprecedented to tax a bill which is paid. I should have supposed that the advice I gave his Lordship, not to proceed in this cause, would have exempted me from the suspicion of having made unwarrantable charges.—Signed—John Jackson.’ As the unwarrantableness of the charges did not rest on suspicion, I wrote to Mr. Jackson myself, who answered :—‘ I humbly conceive that your Lordship is not now entitled to demand a copy of your account, and therefore I beg that you will excuse me from complying with such demand.’ I next required him to submit my account for taxation ; this he also declined as follows :—‘ My Lord,—In reply to your letter of this day, I have to inform you that I cannot consent to open an account that was closed two years ago, and that is my only objection to my bill in the cause of the ‘ King George ’ being taxed, which I hope your Lordship, on reflection, will see to be a reasonable objection.’ I confess I did not consider the lapse of two years to be any objection at all, particularly as I was absent from Malta when the bill was paid, and no earlier opportunity had offered to call for a revision of the charges ; for this reason, and fortified with the opinion of the learned gentleman opposite (Sir V. Gibbs), about a month afterwards, I again addressed Dr. Sewell on the subject, who, so far from ‘ exercising his judgment ’ on the marshal's iniquitous bill of costs, did not condescend to take the slightest notice of my communication, though furnishing him with extracts from Mr. Jackson's written refusals. Neither did the judge reply to a note delivered to him on the following day.

“ Being thus excluded from the ‘ proper mode of redress for grievances of this description,’ I proceeded to the court-room of the Vice-Admiralty for the purpose of comparing the charges contained in numerous bills in my possession with the established fees, which I was instructed by the Acts of Parliament ‘ should be suspended in some conspicuous part of the Court,’ every part of which I searched in vain ; neither was the table in the Registry, where His Majesty's Advocate directed me to look for it, who, on my returning into Court again, to make further inquiry, said that I would find it affixed on a door leading to the adjoining room.

“ That mutilated paper, concealed contrary to law, I was accused of having taken down and carried away from a place where it could not have been affixed, except in defiance of these statutes, and in contempt of justice. That, Sir, was the paper for which I was followed through the streets of Malta for the space of a week by the deputy auctioneer, styled in the judge's warrants and attachments by the title of ‘ deputy marshal,’ but who, in fact, never had an authority from the marshal ; perhaps, because the marshal was conscious of having vitiated his powers by the illegal acts of which he was guilty, and thus thought to escape the consequences which might arise from the acts of his

nominal deputy. So loosely are things conducted in that Court! Surely no reasonable man can blame me for refusing to be taken to gaol by the deputy auctioneer. Indeed, Chapman admits, in his affidavit of the 24th of February, that my objection was to his want of authority; for, I naturally concluded that unless he was an officer of the Court his acts might be disowned, and thereby the guilty would escape punishment.

"That this was the view which I took of the case, will appear by my offering no resistance to James Houghton Stevens, who was appointed on Chapman's nominal resignation; I say, Sir, that I offered no resistance, for, by refusing to walk to gaol, I did no more than decline, by an act of my own, to contribute to illegal proceedings.

"It is not my intention to trouble the House at length relative to this affair, which is of trifling importance compared with the mischiefs that arise from the system of plunder and abuse practised in the Courts of Vice-Admiralty. However, it may not be improper to mention that I was conducted by the keeper of the gaol to a place with a broken window barred with iron, furnished with an old chair, and a close-stool in the corner. From this, however, I was removed, as the judge began to fear the consequences of his illegal acts; and on the third day, being brought from the keeper's room to the Court of Vice-Admiralty, there, without an accuser, except the judge, that learned and worshipful gentleman attempted in the absence of proof to administer a long string of interrogatories, which I, of course, refused to answer, and thereby furnished what might be construed by him into evidence of my having taken away his illegal table. Being further pressed and threatened, I delivered a protest in writing, 'against the illegal warrant issued by William Stevens, an examiner and interpreter to the Vice-Admiralty Court of Malta, registered merchant, commission broker, and notary public, calling himself deputy registrar of the Court, and professing to act under an appointment of John Locker, sinecure registrar, and further against the illegal endeavours to execute the warrant by John Chapman, deputy auctioneer, acting for and on behalf of — Wood, late private secretary to Lord Castlereagh, a non-resident, enjoying an income of about seven thousand pounds sterling per annum, derived from the sale of prizes and the goods of merchants trading to Malta, but calling himself deputy marshal of the Vice-Admiralty Court, and professing to act under an appointment from John Jackson, proctor and marshal, contrary to law; and farther against all acts of the said John Jackson, in the capacity of marshal, by himself or his deputy, and against John Locker, sinecure registrar, and William Stevens, calling himself deputy registrar; John Locker having, under the signature of William Stevens, taxed bills of fees and expenses of the Court of Vice-Admiralty, wherein the fees of the said John Locker and William Stevens in their capacity of registrar, deputy registrar, examiner, interpreter, &c. &c. &c., are made and examined by themselves, and in which various illegal charges were allowed and suffered to be made by John Jackson, as proctor, for attending, feeing, consulting, and instructing himself as marshal; in which double capacity he acts, in defiance of the 41st and of the 45th Geo. III. chapter 72.' And further, I solemnly protested against John Sewell, styling himself judge of the

aforesaid Court, for refusing, by letter dated the 13th January, 1811, to order satisfaction to be given by the said John Jackson, referring to him a judge in his own cause: and likewise for not having given any answers to official letters delivered to him, bearing date the 19th and 20th of February, 1811, on the same subject. And further, I protested against the said John Sewell, for not complying with the Act of Parliament, which directs that 'a table of fees shall be suspended in some conspicuous part of the Court, in which the several judges of the Court of Vice-Admiralty hold their sittings.'

"Sir, the judge at first refused to receive any protest, but afterwards did so; and afterwards I was re-committed to prison, not for contempt of court, but for the old accusation of not having complied with certain warrants addressed to a person styled deputy marshal, who never had an authority to act as such. That no proof existed of my having taken the table of fees will appear from the following affidavit of Commodore Rowley, Commissioner Fraser, and Captain Murray Maxwell, of the navy:—

'Be it known to all persons whomsoever it may concern that on the 2nd day of March, in the year of our Lord 1811, personally came and appeared before me the undersigned notary-public Percy Fraser, commissioner of His Majesty's navy, resident in the island of Malta, Charles Rowley, Esq., captain of His Majesty's ship 'Eagle,' and Murray Maxwell, Esq., captain of His Majesty's ship 'Alceste,' and solemnly made oath that on the aforesaid 2nd day of March, whilst the Court of Vice-Admiralty of the said island of Malta was sitting, they severally and distinctly heard John Sewell, LL.D. the judge thereof, and whilst sitting in his judicial chair, admit in open Court, and in the presence of divers persons there assembled, to the Right Honourable Lord Cochrane that there existed no proof in the aforesaid court of his said Lordship's having taken down the paper in question, by the judge aforesaid called the table of fees.

(Signed) Percy Fraser, C. Rowley, Murray Maxwell.'

'On the second day of August, 1811, the foregoing attestation was duly sworn at Malta, where stamps are not used, before me, Chas. Edw. Fenton, Notary-Public.'

"Notwithstanding the confession of the judge in open Court thus attested, I remained unnoticed three days longer in the public gaol, where I now clearly saw that it was the intention of the judge to detain me until the packet had sailed for England, and probably until she returned to Malta with instructions. I therefore wrote to the Governor, who, having consulted Messieurs Moncrieff, Forrest, and Bowdler, three gentlemen of the law, sent me their opinion, that His Excellency should not interfere with a Court acting, as they were pleased to call it, under His Majesty's authority, although in violation of the law. I addressed the President also, who said, that the Courts of Malta could not interpose. Indeed, had it been otherwise, little good could have been expected from an appeal to these Courts, which are still governed by the iniquitous and oppressive code of Rhoads, to the disgrace of all the ministers who have ruled since the surrender of the island to England. Sir, the Maltese stipulated then that a constitution securing property and rights should be granted, and trial by

jury; but these have been denied, and examinations are still taken, and sentence pronounced, with shut doors, by their judges, whose appointments are during pleasure. I do not impute blame to His Excellency the Governor, for whom I have a high respect, yet I must say that the system of blending the military and civil authority cannot fail to become oppressive. Ministers have no better excuse for this union of power contrary to the express stipulations of the inhabitants of the island, than a despicable petition signed by the dependants on Government, and shamelessly transmitted and received as the voice of the people! Being furnished with an affidavit that the judge did not intend to proceed in the matter on the next Court day, I resolved, as the door was locked and guarded, to get out by the window, which I accordingly effected; and the following proclamation was issued for my apprehension, in which I am designated by as many names as if I had been a notorious thief:—

“‘ESCAPE OF LORD COCHRANE.

“‘Whereas, the Honourable Thomas Cochrane, esquire, otherwise the Honourable Sir Thomas Cochrane, Knight Companion of the most Honourable Order of the Bath, commonly called Lord Cochrane, escaped out of the custody of James Houghton Stevens, the Deputy Marshal of the Vice-Admiralty Court of this Island, from the prison of the Castellanea during the course of last night. This is to give notice, that whoever will apprehend or cause to be apprehended the said Lord Cochrane, and deliver him into the custody of the said Deputy Marshal, shall receive a reward of Two Thousand Scudis currency of Malta, and that whoever will give such information as may lead to the apprehension of any person, or persons, who was or were aiding and assisting the said Lord Cochrane in such his escape, shall receive upon such conviction, if only one person was so aiding and assisting, the sum of One Thousand Scudis, or if more persons than one were so aiding and assisting, then upon the conviction of each of such persons the sum of Five Hundred Scudis, notwithstanding that in such latter case the person so giving information shall himself have been aiding and assisting to the said escape. Witness my hand, this sixth day of March, 1811.—JAS. H. STEVENS, Deputy-Marshal. No. 188 Strada Stretta.’

“Now, Sir, although the treatment which I received is altogether foreign to the main point, yet I am desirous to learn from you as Speaker of this House, whether my imprisonment was or was not a breach of the privilege of parliament?”

THE SPEAKER.—I do not know whether the House expects me to reply to the questions which the noble lord has put to me, perfectly new as one appears to be; but, as far as my information goes, I will give it, if the House thinks fit that I should do so. (Hear, hear!) With respect to the privileges of the House, I know of no means of enforcing its privileges, but in the usual way, from time immemorial, by its own officers; and I never knew one instance of any officer having been sent across the seas at the instance of any member, on a complaint of insult offered to him personally. (Hear, hear!) So much for the question of privilege. In the next place I never knew an instance in which any member of parliament, properly before a court of justice, was at liberty to treat with impunity the proceedings of that

court, or to say that what was done in respect to himself was done in contempt, or that could authorize him to say that the privileges of parliament were infringed in his person for such conduct.

LORD COCHRANE.—Sir: It was at first my intention, to have moved an address to the Prince Regent, to recall the judge, registrar, and marshal, to answer for their conduct and proceedings, contrary to the express words of acts of parliament; but on consideration, and in compliance with the suggestion of the First Lord of the Admiralty, I have thought it better to move, "That a committee be appointed to examine into the conduct of the judge, registrar, and marshal, and their deputies, of the Court of Vice-Admiralty at Malta, for the violation of the 37th, 38th, 39th, and 41st sections of the 45th Geo. 3, cap. 72."

MR. P. MOORE seconded the motion, not from any knowledge of its merits, but thinking that if the matter of charge was not inquired into it would reflect upon the House.

MR. STEPHEN could not avoid applauding the benevolent motive of the honourable gentleman who had seconded the poor outcast of the noble lord. With respect to the conduct of the learned judge alluded to, he was satisfied it was the opinion of the House that he had done nothing amiss—that the dignity of his office required that he should exert his authority after the direct insult that the noble lord had offered to the court. The charge against the noble lord was for taking down the public document of the court, a charge which he had not denied, nay, indeed, the noble lord had exhibited what he termed a fac-simile of the table of fees, and so closely imitated, that the very impression of the wafers—the document itself, and its smoke-dried appearance, seemed to proclaim its originality. The conduct of the noble lord, when required to answer for this contempt, was not merely that he refused to obey the monition, but that he pulled out a pistol, and threatened to shoot any man who attempted to execute it upon him. Chapman, the officer, therefore (and the fact was confirmed by two witnesses), thought it not prudent to execute a warrant at the point of a pistol, and had not the courage to act. The noble lord had stated that he refused to answer interrogatories, and that he made a protest against the proceedings of the court. It was not regular for the court to receive protests arraiging its proceedings, and upon the inquiry it did not think there were sufficient grounds for discharging the noble lord from his arrest. If, however, he was aggrieved, there was a channel through which he might have had redress, without coming to the House, by appearing before the Privy Council, and stating his charges against Dr. Sewell, who would, if proved, be removed. But should there not have existed, in the executive government, a disposition to redress the noble lord's grievances, then it would have been open for him to appeal to the House, but to come at the end of the session was not very regular. Dr. Sewell was a person of correct conduct, and unlikely to act with injustice to any individual.

MR. YORKE objected to the motion on three grounds: first, because the case was one of the *most frivolous* ones he had ever met with; secondly, because the noble lord, if he had just cause for complaint, should have made it at the Admiralty, and that Board would have investigated the complaint; and thirdly, because the complaint, instead of being made by the noble lord, was by his own showing a complaint

against himself. He had this to state to the noble lord, that if he had not been an officer on half-pay he would have heard from the Board of Admiralty in a different way. With respect to the marshal exercising the office of proctor, in conjunction, he would recommend an inquiry to be made, as it was contrary to the express provisions of the Act of Parliament. But with respect to the noble lord's case it was, he must repeat it, one of the most frivolous cases ever brought before parliament.*

"Mr. Rose," said his lordship in reply, "has expressed his persuasion that the interests of the navy are best protected by being in the care of the king's proctor; that is," continued his lordship, "under the absolute control of one man, who, in addition to the management of his majesty's business in two courts, and the monopoly of libelling and prosecuting to condemnation all the captures made by the navy, possesses also the exclusive privilege of conducting the numerous and intricate litigations which have arisen of late years out of the seizure of neutrals; causes in which not only the property detained is at stake, but all that a captor possesses is answerable for the costs of suit and demurrage, which, if he is unable to pay, he may be thrown into gaol, not for errors or misconduct of his own, but owing to neglect arising from confusion in an office where there have formerly been from 1800 to 2000 causes in progress at one and the same time; an evil which, unfortunately for the country, is working its remedy in a way highly prejudicial to its best interests. Let me ask, would the right honourable gentlemen opposite exert themselves with zeal, if every motion they made subjected them to risk of costs, damages, and imprisonment? They would not sit on these soft cushions unless they were amply paid, although it is easier to do so than to make captures on the enemy's coast. How would they like to be compelled, as the navy is, to employ one attorney to conduct all their affairs, even if he had not their opponent's interests also to promote, as is the case with the procurator-general? Will such management of their affairs encourage the navy to impede suspicious commerce in neutral bottoms? And if the condemnation of a boat costs as much as the condemnation of a ship, is not the capture of the enemy's coasting commerce virtually discouraged?

"Nothing," he continued, "can better demonstrate the effect which the dread of fraud and neglect in the procurator's office has on the exertions of the navy, than an account before the House, by which it appears, that the numbers of causes belonging to the whole navy amounted only to ninety-two, including droits of the Admiralty and Crown; while about three dozen privateers, possessing the inestimable privilege of employing counsel of their own choice, had actually 110,—not injudicious captures, but such as had been sanctioned by the decisions of the lower courts. The navy are told, by a public minute in the procurator-general's office, 'that it is the king's proctor's particular desire, in respect to his bills, first, that in all successful cases they should be made out moderately; secondly, that in unsuccessful cases they should contain those fees only which are allowed on taxation.' Permit me," said Lord Cochrane, "to ask what fees he is entitled to

* That is, the First Lord agreed with my statements, but objected to inquiry because I moved for it!

that are disallowed on taxation; and permit me to ask the treasurer, who is desirous to remove the misconception that prevails in the navy, if he thinks that were the commanding officers all compelled to employ one tailor, (the chancellor's for instance,) that it would be quite satisfactory to learn, whilst there was a certainty of their cloth being damaged, that being cut and sewed by old women it was made up cheaper, as might be ascertained by a minute behind the shop-board; 'that it was the master tailor's particular desire, in respect to his bills, first, that the old ladies should be moderate in their cabbaging if the coat fitted; and secondly, if spoilt, that they should take only what they could get,' would not persons thus restricted, and desirous of expedition or care, stimulate the old ladies by a dram; and would not they quit one job and take up another? Would the interests of all be best protected thus?"

Lord Cochrane instanced a case of capture, wherein the captor had a balance of 11*l.* 14*s.* against him in the prize courts, after the prizes were condemned. He stated a case wherein 63*l.* were deducted from a bill upon taxation, and the same sum to a farthing charged for taxing it; and he asked the attorney-general, whether he did, or did not, receive twenty-two guineas out of the pockets of the navy for every cause which came before the Court of Appeals, though he had attended but once there since the court commenced sitting in November. "Is this," said he, "one of the law charges which the treasurer has no occasion to disapprove of? And does he think it right that the procurator, the boasted guardian of the interests of the navy, should not only pay the attorney-general for staying away, but fee another for coming to court, and performing his duty? I have passed nearly twenty years in the navy. Having been constantly employed until lately, I have had full opportunity to be acquainted with the feelings of those with whom I have mixed, and I believe that, unless the laws and regulations made to guide the Courts of Admiralty are reformed, captures will soon cease to be made. Were that done, the enemy would then suffer the loss of all the trade which is of such importance to France and her dependent states. Two-thirds of our present naval establishment would be quite sufficient for the purposes of blockade, and all others; nay, I am clearly of opinion, that if the courts were reformed, it would be a benefit to our country if one-third of our ships were converted into fire-wood. I am sure that the First Lord of the Admiralty would not vote against the production of papers and full investigation, if he knew the extent of the evil. He has, however, no means personally to become acquainted with the facts, and there are but few who will venture to inform him."

The motion was negatived without a division.

CHAPTER XXXIII.

OPENING OF PARLIAMENT, 1812.

Sir Francis Burdett's address seconded by me.—Employment of the navy.—Naval defences.—The address rejected.—Curious letter from Capt. Hall.—Perversion of naval force in Sicily.—A nautico-military dialect.—Uselessness of our efforts under a false system, which excludes unity of purpose.

THE opening of the session of 1812 was in many ways remarkable. The speech of the Prince Regent, read by the Lords Commissioners, made everything *couleur de rose*, both as regarded our foreign wars and domestic policy. Notwithstanding that we were on the brink of war with America, both Houses were assured that the affair of the 'Chesapeake' had been "finally adjusted, though other discussions were not yet brought to a close." The finances were represented as being in a flourishing condition, and His Royal Highness had no doubt of the liberal disposition of Parliament "to sustain the country in the great contest in which it was engaged."

The hollowness of these representations was met by Lord Grenville, who contrasted it with the "critical circumstances of the times, and the present alarming state of the country. The framers of the speech, said his lordship, were the very men who by their obstinate blindness had brought the country to the brink of ruin, but who, in the midst of the distresses they had themselves occasioned, still held forth the same flattering and fallacious language. He would protest against a continuance of those measures which had brought such calamities upon the country. People might choose to close their eyes, but the force of truth must dispel the wilful blindness."

Lord Grey similarly denounced the policy which was "the source of present and impending calamities. Yet these very complications were brought forward in assertion that the system of the government had contributed to the security, prosperity and honour of the country!" &c. &c.

In the House of Commons an unusual circumstance occurred. After the speech had been read by the Speaker, Lord Jocelyn was rising to move the usual complimentary address, but Sir Francis Burdett, having risen at the same time, first caught the eye of the Speaker, who decided that Sir Francis was in possession of the House.

One of the honourable baronet's cutting speeches followed, in which he denounced the ministers as an "oligarchy of rotten-boroughmongers"—who alike imposed upon the people and the Prince Regent. "A system of taxation had been created which ruined many and oppressed all. This fiscal tyranny being carried to its height, the lower orders had been reduced to a state of pauperism—whilst the desperate resistance which such pauperism was calculated to produce was kept down by the terrors of a military force. Depôts, barracks, and fortifications had been established in all quarters, and foreign mercenaries, who had been unable to defend their own country, had been brought over to protect the native land of courage and patriotism, or rather to protect its rulers against an indignant and oppressed people, and to support the scandalous invasions of the liberty of the press, and the severe punishments with which those who ventured to express popular opinions were visited by the courts of justice."

This interruption by Sir Francis took the House by surprise, but still greater was its astonishment when the honourable baronet proposed, in place of the ordinary address to the Prince Regent, a memorial of remonstrance, laying before his Royal Highness all the instances of misgovernment and oppression—of infringement of the public liberty, and accumulation of abuses, which had been characteristic of the system pursued by Government for many years past.

As a matter of course, the address proposed by Sir Francis was read by the Speaker, amidst the ill-concealed dismay of those most affected by it. I then rose to second the address, denouncing the impolicy of the war, and more still the way in which it was conducted, so far as the policy of ministers was concerned. The subjoined is from the usual reports of the period.

"LORD COCHRANE rose for the purpose of seconding the address of the honourable baronet. He agreed with the speech delivered in the name of the Prince Regent, that a high tribute was due to the bravery of our army in Portugal, and to the conduct of the Commander-in-Chief, but he would deny that the war in the Peninsula would come to speedy or successful conclusion. The forces of Great Britain there were insufficient to cope with those Buonaparte could bring against us as soon as he had completed the subjugation of Spain and obtained command of its resources. Of this we were quiet spectators. To what was our army indebted for its success and for maintaining itself in Portugal, but to the unproductiveness of that country. Every credit was due to Lord Wel-

lington for his conduct of affairs, but even his lordship expected little from the Portuguese, who were dragged to the army more like slaves than soldiers, to support, they did not know what. At Peniche he had seen ten thousand of them collected, almost naked, and in want of every necessary.

"The Portuguese were themselves despots. The dungeons of the Inquisition were full of victims, and the British minister, who formed part of the Regency, was lately under the necessity of retiring from Lisbon that he might not appear to countenance arrests and imprisonments which he could not approve. He would not scruple to assert that the Portuguese government was obnoxious to every class of society in that country. Nay, farther, that both in Sicily and in Portugal the British name was detested, because of the support which this country gave to the respective governments of each with all their oppressive abuses.

"With regard to Sicily, he thought that the real purpose of ministers was not so much to keep the French out of that island as to keep the people subject to one of the most despotic governments in existence. With regard to Portugal, which was considered of such importance, he would ask, How long would our army defend that country? Only till the French had made themselves masters of Spain, and then it would be compelled to retire within its fortified lines, the whole extent of which could not afford grass enough to feed bullocks for six weeks' subsistence of the troops alone. He would assert, as a fact, extraordinary as it might appear, that even at present the bullocks and flour for the supply of Lord Wellington's troops passed through the French army with licenses from the interior of Spain. This was a notorious fact, and he would leave the House to make reflections upon it.

"The noble lord then adverted to that part of the honourable baronet's proposed address, which referred to the internal state of the country, and professed his concurrence with the greater portion of the sentiments therein contained. All must own that the freedom of the people had been greatly encroached upon, particularly by the oppressive mode of levying taxes, the produce of which, he regretted to say, was grossly misapplied. No part of a man's house was free from the visits of the tax-gatherer, and a man could not remove articles that had paid duty on importation, without a permit, even so much as a dozen of wine. The noble lord trusted that a committee would be appointed to take both the conduct of the war and the state of the nation into consideration.

"Lord Cochrane then adverted to that part of the speech which referred to the naval defences of the country, and maintained that our naval force was not rendered efficient in annoying the enemy. Commanding the seas, as this country did, our navy ought to be employed in threatening the coast of France in all directions, by which means Buonaparte would be compelled to keep his armies at home, instead of sending them to be *fed, clothed, and paid by our allies!* for the purpose of their own subjugation. Were the gigantic naval force of England used as it ought to be, *the whole force of France, vast as it was, would prove inadequate to the defence of its widely extended shores.* Perhaps demonstrations of attack might prove sufficient. If the enemy despised these, it would *then* be, as at this moment *it was*, easy to destroy everything on the French coasts, for England could, in spite of all the efforts of the enemy, bring a force to any given point far superior to anything the

enemy could assemble for our annoyance, and thus we might effect most powerful diversions."

The address proposed by Sir Francis and seconded by myself was, of course, unsuccessful. The mover of the address originally intended was Lord Jocelyn, who, when I had concluded, made not a word of allusion to any part of the speeches of Sir Francis or myself, beyond stating that "*he wholly disapproved of all we had said.*" Such was legislation in those days, that the arguments of those who did not belong to the ruling faction were not listened to, much less answered. Lord Jocelyn's address, which was only an echo of the Lords Commissioners' speech, had, however, to be proposed as *an amendment* to that of Sir Francis, and was carried without a division.

The feeling towards myself for having—as was said—"thought fit to countenance Sir Francis"—needs not be animadverted on. Yet I had given some good advice as to the way in which our naval power was frittered away to no purpose. English historians, by their silence on this point, appear to have little conception as to the extent of the evil.

As in seconding the address of Sir Francis Burdett, I had mentioned Sicily, I will give a remarkable example of the way in which war was carried on in that quarter *against the French!* The reader may deduce from that why I was not permitted to put my plans of harassing the French coast into execution.

The following letter is from Captain Robert Hall, commanding what was singularly enough called the "*army flotilla*" at Messina. The document is a curious one, and may do something towards enlightening future English historians:—

"Messina, Jan. 14, 1812.

"MY DEAR LORD,—It is so long since I heard of you, and being disappointed at not seeing you in this country, as the papers gave us reason to believe, that I must take the liberty of asking you how you are. We were led to expect you in the Mediterranean with a flying squadron, but I am sorry to see there is *now* no probability of it.

"I am serving here in an *amphibious* kind of way—having the rank of brigadier to command an '*army flotilla*!' but why it should be an '*army*' one I cannot find out, though I have well considered the matter *for the last eighteen months.*

"There is an *immense naval establishment here of a hundred and forty vessels of different descriptions quite independent of the Admiral!** These are maintained by the British Government, at an expense of at least

* I had only asked for three or four handy frigates to carry out my plans; and indeed, could not have employed more with effect, as being under my entire supervision.

140,000*l.* per annum. I have, in fact, lessened its expense by 60,000*l.* a year, merely by reducing the pay of the seamen to the standard of our own, though they have been paid at double the rate of English sailors, whilst the *padrones* of gunboats, taken from the streets, are paid more than our lieutenants.

"It is a singular thing that this establishment cannot be thrown into its proper channel—the navy. The island of Zante has another flotilla of 60,000 dollars a month to protect it, and the commandant of the barren rock of Lissa—not content with his gun-boats—sent in, the other day, a serious memorial, stating the necessity of defending his island, by placing gun-boats *all round it*, wherever there were no guns on shore! If this flotilla mania should reach our West India Islands, what will be the consequence? At least, I should think, as army matters are conducted, an expense equal to one half that of the whole navy! It is the duty of officers to serve where they are ordered, but this mixture of services is, I believe, altogether new, and may, if followed up, be fatal to the independent spirit of the navy. If that spirit perishes all ardour is gone, and we shall be like some foreign countries where the services are mixed—neither the one thing nor the other.

"My Lord, I believe you know me. You may therefore guess my feelings, after *eighteen years' service*, to be ordered to serve under a person *who is a perfect stranger to the service to which I belong*. What do you think of an order to make a passage to Zante in the dead of winter by *sailing close to the land in the Gulf of Tarento*? It is too ridiculous—and really deserves the consideration of the Admiralty.

"If we can combine our naval and military tactics, it will be a greater effort of human ingenuity than has hitherto been devised. We may then dispense with the rapidity of our manœuvres and '*march in ordinary time*.' Figure to yourself *eighteen subalterns of different regiments commanding divisions of the flotilla*! When I took it out to sea, they were all sea-sick, and —— about the decks! Each of these subalterns received *seventeen and sixpence a day for this extraordinary and fatiguing service*;—nearly three times as much as a lieutenant in the navy!

"Endeavour, my Lord, to reconcile the meaning of such an establishment, glancing your eye at the same moment on the manner of conducting the flotilla establishment at Cadiz. We have at this moment *more troops on the Faroe line than the French have in both Calabrias*—independent of those which, under our nautico-military chief, sacrificed our friends in Catalonia.

"Yet there is a sad outcry here. We tell the Sicilians that they mean to murder us all, and there is no doubt their will is good enough.* Numerous are the remonstrances against sending a single soldier out of the island. The firm and manly mind of Lord William Bentinck was proof to this outcry, and it is to be regretted that circumstances did not admit of this zealous and active officer accompanying the expedition himself. Nothing can equal my respect for Lord William Bentinck as a soldier and a gentleman, but I must say with old Neptune, when jealous of the interference of some '*long-shore*' Deity—

'Non illi imperium pelagi sævumque tridentem
Sed mihi—sorte datum est.'

* See my speech on the address of Sir Francis Burdett.

What end, what purpose, can it answer, to put a naval establishment under the command of a person who acknowledges that he does not know how to use it? As it was formed under the auspices of my Lord Mulgrave, this arrangement may probably have been made with a view of simplifying naval matters. For example, my Lord, the long sentence of '*back the main topsail,*' might be more readily expressed by the short word '*halt!*' '*Filling and making sail,*' according to the strength of the wind, might be called '*marching in quick or ordinary time!*' Instead of boatswain's mates to '*march off*' the different '*detachments*' of the watch, it would, according to our present system, be more regular to '*march them off with corporals!*' though in squally weather this might be inconvenient. In short, there might be many improvements. The army officer appointed to command one of our vessels mislaid what he called the '*route given him by the Quarter-master-General!*' '*lost his way,*' as he expressed it, and got ashore in the Gulf of Squillace. On his exchange he reported to me that '*the night was so dark, he could not see the rock on which the vessel ran!*' and that when fast, '*a board broke in her bottom, so that the water ran in so fast he could not scoop it out again!*' Thus it is that Mr. Bull is humbugged. For my part, I have remonstrated repeatedly on the folly of this establishment, and it only remains with me to serve where I am ordered.

"Of the politics of this country the public journals will have informed your Lordship. We are certainly doing nothing in the way of amelioration, and all parties seem discontented. The newfangled constitution strikes too much home to be popular amongst those who profited by the old system. Our views are certainly for the prosperity of Sicily, yet no Sicilian thinks so. They dislike us, and I believe they know not why. Some of the knowing ones appear apprehensive of our assuming the government altogether; and urge their fears of our treating them as we do the Irish Catholics! The French partisans, of course, make the most of this state of things.

"It is to be hoped that Buonaparte's failure in Russia will blast his other prospects, or Sicily will be his in a short time, if we do not oblige the Government to adopt some energetic measures. If they would only put the troops we have here on shore in Calabria, there would be no necessity for gun-boats. They would excite an immediate insurrection, and would throw plenty of grain, of which we are in want, into Sicily. But if the Sicilian troops should intend running away on the approach of a French regiment—as they did formerly—we had better remain and colonize at Messina.

"Your Lordship's faithful servant,

"ROBERT HALL.

"The Lord Cochrane."

The above will show the useless manner in which our best naval force and officers were employed—no less than their testimony to their own uselessness. Yet with upwards of a thousand ships in commission, we had no naval enemy to oppose, and persisted in employing our seamen anywhere but on the enemy's coast! For simply urging the common sense

employment of our numerous navy, and a proper investigation into the minor details which crippled its action, I was regarded as a common disturber of the ministerial peace.

Yet it had not been my intention to throw blame on the Admiralty, but simply on *the system* under which they continued to act, but which, for all practical purposes, had become obsolete. The Admiralty, whatever might be its wish, was unable to do its work for want of some one of high professional skill and resolute character, whose business it should be authoritatively to investigate the efficiency of naval establishments, and personally to superintend investigation alike into inefficiency and suggested improvements. Had this been done, many evils, hidden from the knowledge of successive Admiralties, would be perceived and remedied.

The Admiralty, even as at present constituted, is not sufficiently numerous to execute so many and such varied duties, even though the ability of the members comprised all professional knowledge, and that their industry was indefatigable. The overwhelming pressure of detail renders inquiry into, and deliberation on, important matters impracticable, whilst on minor matters it is prohibitory, and thus abuses remain unremedied because unperceived.

The Board, at all times within my recollection, has been one of reference to persons in inferior departments. These persons pronounce *an unquestioned verdict* on all matters referred to them; their reports remaining concealed under a rule adopted to avoid trouble or correspondence, the framers of the rule not anticipating that such concealment may be fraught with the most injurious consequences to the navy, whilst it may shield from exposure the most self-interested and flagrant impositions.

This, however, is not the place to enter on a subject the ramifications of which have penetrated into every department, till beyond the control of the most patriotic and unflinching, who, with all their pains, can only arrive at the one fact, that the whole system requires renovation, which, as it is nobody's business, is never undertaken.

So long, however, as such a system exists, so long shall we be in danger of being taken unawares by powers fully alive to the importance of unity of purpose and action. To such a system we have nothing to oppose in case of emergency but our own embarrassment.

CHAP. XXXIV.

MY SECRET PLANS.

My plans submitted to the Prince of Wales.—Negotiations thereon.—A modified plan submitted, which came to nothing.—Inconsiderate proposition.—Recent report on my plans.—Opinions of the commissioners.—Plans probably known to the French.—Faith kept with my country in spite of difficulties.—Injurious results to myself both abroad and at home.—Opposition to my plans inexplicable.—Their social effect.—The subject of fortifications: these greatly overrated.—Reasons why.—The navy the only reliance.

SOON after my return from the Mediterranean, I had the honour of laying before His Royal Highness the Prince Regent, a new and most formidable method of attacking and destroying an enemy's fleet, and of performing other warlike operations on a large scale. His Royal Highness was pleased to refer the plans laid before him to a Secret Committee, consisting of the late Duke of York, as president, Lord Keith, Lord Exmouth, and the two Congreves, one of whom, Sir William, was the celebrated inventor of the rocket which bears his name.

These officers—as stated to me in a private letter from Lord Keith, who took a warm interest in the matter—gave it as their opinion that under the circumstances detailed in my explanatory paper, such a mode of attack would be irresistible, and the effect of the power and means proposed, infallible; adding, however, that if the plan was divulged, it might become perilous to our Colonial possessions; an observation marked by no little foresight, *for had the same plan been known to the rebels in the late Indian mutiny, not a European in India would have escaped.*

The Prince Regent and the Duke of York fully concurred with the Committee in the destructive character of the plans submitted for their consideration, as well as in the danger of divulging them. His Royal Highness sending for me to Carlton House, commanded secrecy on my part. I told His Royal Highness that my plans were only known to Sir Alexander Cochrane, and to my uncle, Mr. Cochrane Johnstone, who had, in fact, written out for me the papers which had been laid before His Royal Highness, but that I would obey his injunctions, and had no fear of my relatives disclosing so important a secret. The investigation being secret, of course no official report was made on the subject.

Not long after this interview Lord Melville signified to me his intention to put in execution *a portion* of my plans, and requested my attendance at the Admiralty for the purpose of conferring on the subject. To this partial execution of the project I of course demurred, as unfair to the invention and necessarily incomplete in operation, whilst development of a portion might give the enemy such an insight of the whole as would enable him to turn it against ourselves on a large scale; his lordship, nevertheless, did not seem inclined to give way, and I quitted the Admiralty without having been enabled to arrive at any satisfactory conclusion.

Lord Melville having mentioned to Lord Keith the result of our interview, Lord Keith urged me to acquiesce in the First Lord's views, adding, that he was too well acquainted with the soundness of my plans to doubt the practicability of destroying with a portion only the enemy's ships in Genoa harbour and the outer roads of Toulon. His lordship further urged that a success once achieved, the popular voice would place it in my power to enforce the execution of the more destructive portion of the invention within the enemy's inner harbours.

In deference to Lord Keith's opinion I at once prepared a plan of attack on the outer roads of Toulon, in accordance with the views of Lord Melville. That communication, omitting the essential parts of the plan, I now subjoin.

No. 12, Portman Square, May 12, 1812.

"MY LORD,—In consequence of the conversation I had the honour of holding with your Lordship yesterday, and of your desire that I should state what force would be required for carrying into execution the plan submitted for the destruction of the Toulon fleet, I beg to submit the following arrangements as applicable *to this particular object*.*

" One seventy-four.

" Two 38-gun frigates.

" Two 18-gun brigs.

" Two cutters or schooners.

" The above force is requisite as an escort, and to protect the boats.

" In order to ensure success, although one-half will probably be sufficient, the subjoined will be necessary.

[Here follow particulars.]

" As your Lordship permitted me to recommend such officers as I thought best calculated for this service, I beg leave to name the following:—

" Captain Robert Baine.

" Sir Thomas Staines, now of the 'Hamadryad.'

* Viz. as not having reference to the execution of the whole.

"Captain Johnstone, now commanding the 'Avenger,' if he has not sailed; and if he has—

"Captain Hall, now commanding the gun-boats at Messina, and lastly—

"The Honourable Lieutenant Napier, now in the Mediterranean.

"My late first lieutenant, Travers, now in the 'Imperieuse,' to be first of whatever ship your Lordship may be pleased to assign to me, which, in order further to conceal the enterprise, may, if your Lordship should think proper, be placed under the command of my brother Captain Archibald Cochrane, late of the 'Fox' frigate. I can furnish him confidentially with all the necessary instructions, so that I might at once proceed to Lisbon, apparently in a private capacity, so as to disarm suspicion.

"I have taken the liberty of submitting the names of the above officers to your Lordship, because I am well acquainted with their characters and zeal for the service, and am sure that whatever is undertaken by them will first be well weighed, and then executed with determination.

"The above operation is calculated *without the assistance of troops*, but if your Lordship wish to *secure* the ships, instead of *destroying* them, 4000 troops should be embarked at Messina* as though under the destination of Catalonia, and having been shifted into the ships of war now blockading Toulon, should be held in readiness to be disembarked in the peninsula of Cape Cepet, the heights of which may be held, although not yet fortified, against any force that may be brought against them. When I was last there, with Lord Collingwood's fleet, I stood particularly close in, within point-blank range of shot, and there were not sufficient men in any of the batteries to train more than one gun at a time—indeed, they appeared merely to be stationed there to take charge of the stores. There was neither smoke in the chimneys of the barrack-rooms, nor was there a door or window open, though the weather was extremely hot.

"If the operations are to be extended along the coasts, your Lordship will see the propriety of embarking 300 marines on board the seventy four, and 100 in each of the frigates.

"The expense of the expedition will be *within three months' cost of that of the blockading force*, and half the stores enumerated may accomplish the service.

"I have, &c. &c.

"COCHRANE,

"The Right Honourable Lord Melville, &c., &c."

Inconsiderable as was the expense, in comparison with other armaments producing little or no result, Lord Melville hesitated to incur it; or rather, as I have reason to believe, his lordship was overruled by the ill-feeling against me at the Admiralty, as the concurrence of the Board would have placed me in command of a squadron, with my flag flying in a line-of-battle ship. This

* How well these could have been spared is evident from Capt. Hall's letter, see page 407.

was evidently considered too high a position for one who had been for three years kept unemployed from political and personal dislike ; was evidently not to be thought of, and the project after long fruitless expectation was dropped.

I then proposed to conduct a similar expedition against Flushing, but this also was declined. As, however, public dissatisfaction began to manifest itself, Lord Melville informed me that I might make an attempt on Toulon *on a small scale* ! In other words, that I might, "on a small scale," show the enemy how to put my plans in operation against ourselves *on a large scale* ! The permission was so preposterous, besides being not altogether free from the suspicion that failure would be more acceptable than success, I declined it, notwithstanding the renewed recommendation of Lord Keith to close with Lord Melville's offer. As at this time only a few sail of the line remained at Toulon, I hesitated to comply, considering that the result of destroying these would have been badly compensated by the disclosure of the means whereby their destruction had been effected.

Soon after the accession of William IV. I submitted my plans to his Majesty's consideration, and being himself a practical seaman, his Majesty at once admitted their importance and honoured me with personal interviews on the subject, at which I explained my methods of putting them in execution under various circumstances. His Majesty was further pleased to observe that I ought to be rewarded as well for the plans as for the secrecy which had been observed, yet not the slightest reward did I ever reap for the invention or for having kept my secret out of pure love to my country, a motive which will be better appreciated when subsequent temptations to divulge it come to be shown.

An incontrovertible proof of the efficiency of the plans submitted by me to various ministries is on record in the shape of a report *from a comparatively recent commission*, one of the commissioners—who ranks amongst the highest in his profession—*being still living*. As from the non-employment of those plans on any occasion, an opinion may have gone abroad that their destructive character is illusory, I feel myself justified in dispelling the illusion by subjoining the report.

Towards the close of 1846, when the late Lord Auckland was at the Admiralty, suspicion being excited as to the motives and intentions of the then French Government, another commission

was appointed, to decide upon a mode of trying my inventions in a way to satisfy the public as to their efficacy, and at the same time to preserve secrecy. This being found impracticable, the trial was never made, but the commission proceeded to report on the plans. The members were Sir Thomas Hastings, Sir J. F. Burgoyne, and Lieut.-Col. Colquhoun.

The subjoined is their report, addressed to the then Master of the Ordnance and forwarded to be me by Lord Auckland.

“Ordnance Office, Jan. 16, 1847.

“MY LORD,—In conformity with your Lordship’s instructions, we, the undersigned, have met to consider and report on the secret war plans of Vice-Admiral the Earl of Dundonald, transmitted to us by the First Lord of the Admiralty, the Earl of Auckland.

“These plans may be classed under three heads:—

“1st. One, on which an opinion may be formed without experiment, for concealing or making offensive warlike operations; and we consider that, under many particular circumstances, this method of his Lordship may be made available as well by land as by sea, and we therefore suggest that a record of this part of Lord Dundonald’s plans should be deposited with the Admiralty, to be made use of when in the judgment of their Lordships the opportunity of employing it may occur.

“2nd. One on which experiments would be required before a satisfactory conclusion could be arrived at.

“3rd. Nos. 1 and 2 continued for the purpose of hostile operations.

“After mature consideration, we have resolved that it is not desirable that any experiments should be made. We assume it to be possible that the plan *contains power for producing the sweeping destruction the inventor ascribes to it*; but it is clear this power could not be retained exclusively by this country, because its first employment would develop its principle and application. The last observation applies equally to plan No. 1.

“We considered, in the next place, how far the adoption of the proposed secret plans would accord with the feelings and principles of civilized warfare. We are of unanimous opinion that plans Nos. 2 and 3 would not do so.

“We therefore recommend that, as hitherto, plans Nos. 2 and 3 *should remain concealed*. We feel that *great credit is due to Lord Dundonald for the right feelings which prompted him not to disclose his secret plans when serving in war as naval Commander-in-Chief of the forces of other nations, under very trying circumstances, in the conviction that those plans might eventually be of the highest importance to his own country*.

“We have only to add that we have sealed up, under one cover, all the papers which have been submitted to our consideration by the First Lord of the Admiralty and the Earl of Dundonald, and our correspondence with the latter in another—both of which we have marked ‘secret.’

“With regard to the disposal and future custody of these papers, we await instructions from your Lordship, or the Earl of Auckland, to

whom we propose this letter should—after your Lordship has perused it—be transmitted.

“We have the honour to be,

“Your Lordship’s obedient servants,

“THOMAS HASTINGS, Capt. R.N., and
Principal Storekeeper.

“J. F. BURGOYNE.

“J. S. COLQUHOUN, Lieut.-Col. R.A.

“To the Marquis of Anglesey, K.G. and K.C.B.”

Let the public now judge of the nature and value of those plans—of the merit of never having disclosed them, though exposed to severely trying circumstances and also whether they are impracticable.

I have been told, on indubitable authority that during the late war with Russia an interchange of warlike plans took place between the English and French Governments. It was further pointed out to me but the other day, that a French journal of high authority had remarked to this effect: “*Should a war arise between England and France, the latter power would bring warlike engines into play to which rifled cannon were a trifle.*” From this I make little doubt but that my plans are known to the French Government, and if so, whenever they are applied, the people of this country will find them no “trifle”—for as the report just adduced infers, no power on earth can stand against them. It is one of my most bitter reflections that such plans have been utterly thrown away as regards our own nation, and that from the imprudence of Governments they may one day be turned against my own country.

In the late war with Russia, I twice offered these plans to the Government. The first time they were declared “*inexpedient!*” The second time I offered to *conduct them myself*, either against Cronstadt or Sebastopol—old as I was—the forts of Cronstadt being especially open to their application. As regarded Sebastopol, the question was put to me whether I would instruct two engineer officers in applying them? My answer was, “No, I have offered to risk my life and reputation on their efficacy, but will not impart my mode of applying them to others, who may not, either from preconceived notions or professional jealousy of naval inventions, comprehend them.”

Had I not adduced the report of the last committees appointed to examine the plans, this might be thought the bombast of an old admiral whose physical vigour had outlived his judgment. I flatter myself, however, that more years of sharp experience

than usually falls to the lot, even of admirals, has fixed my judgment of warlike operations too firmly to be shaken even by age. I repeat that should those plans ever be turned against ourselves, the English public will be in a condition to pronounce an opinion on that point.

The report of the committee gives me great credit for *not having made use of those plans elsewhere*. As before stated, I promised the Prince Regent never to divulge them except for the honour and advantage of my own country, and although driven from the profession of my choice I did not forget my promise.

It may be permitted me to add that when, in 1820, I came before the Castles of Callao, it was perfectly well known to me that money and property considerably exceeding in value a million sterling, besides all the plate in Lima, had been sent to these castles for security. I could with the aid of a small portion of my plans only, and in spite of opposition, have possessed myself of this treasure in an hour, and my share could not have been less than half a million sterling.

Let posterity judge of my conduct as compared with the blind enmity of those who persecuted me wrongfully. Yet there was every inducement to employ my own plans for my own benefit. When I entered the service of the South American States, my private income, never large, and entirely of my own creation, had been wholly wasted by the expenses consequent on forced litigation and in defending myself from an iniquitous prosecution. For more than four years I had been deprived of my professional income, and at forty years of age found myself thrown on the world to seek the means of making provision for myself and an increasing family.

Had I been indifferent to the welfare of my own country, my position, as commander-in-chief of the squadrons of Chili and Peru, and afterwards of the Brazilian squadron, would have enabled me to amass an immense fortune, by putting an early end to the wars of those countries through the adoption of secret plans, as the Governments of those states expected. For not having done so, they manifested their displeasure and declined to pay me the stipulated rewards for what I effected towards their liberation.

It was forcibly urged upon me by the South American Governments that the unjust deprivation of rank and honour in my own country released me from any obligation to obey the in-

junction of secrecy which had been imposed upon me, and that I ought to profit from my own discovery, by applying it to the ample opportunities before me. I can safely say, that love of country, alone restrained me from listening to their temptations; and that I did not yield to the great necessities of my position is now one of the proudest consolations of my life.

Yet I repeat—and the assertion will one day be confirmed—that these plans afford the infallible means of securing at one blow our maritime superiority and of thereafter maintaining it in perpetuity—of at once commencing and terminating war by one conclusive victory. A hundred millions employed in war could not complete the ruin of our maritime opponents so effectually as could be done by the simple methods indicated in my plans; and that too in spite of the apparently formidable fortifications and other defences of ports and roadsteads. The expenditure of millions in the construction of such works on the coasts of any country would be in vain, when any hostile power in possession of the knowledge of such means of attack, could at a trifling cost and with the utmost facility accomplish in a few hours any assignable amount of destruction without impediment from such costly but really impotent safeguards. Still more easily might this country protect itself by destroying at one blow the marine of an enemy, and that by a process which our most eminent engineer officers—as has been seen—have pronounced infallible.

It is somewhat singular—that, notwithstanding my admitted experience, as demonstrated by the acts and success of my early life, and notwithstanding the destructive character of my plans as certified by committees of the most eminent men to be found in both services, *I have never, throughout my whole life, been officially consulted on the means of defence of this country!*

This cannot have been accidental. It is not probable that any prime minister should consider himself so well up in naval matters as to despise my experience. Nor is it probable that he should prefer consulting officers who never saw a shot fired in actual warfare,—as was frequently the case previous to the Russian war,—to the opinions of one whom committees of the highest professional character had declared to be the inventor of plans which would totally change the aspect of war, and supersede every known system of warlike operations.

When the dominion of the sea, the existence of our mercantile marine, and the peace of Europe were—as they are at

this moment—in question, it is nevertheless difficult to conceive this extraordinary inconsistency. Still there is the fact. None to whom my plans have been submitted, have ever pretended to throw doubt on their efficacy. Some, it is true, have said, "For heaven's sake, don't encourage such plans,—what is to become of us?" What? Universal peace: for after their disclosure not a man would be found to engage in war except for defence of his country, when, as was said of the cholera by an eminent French surgeon, "*Il cadavreiserà le monde.*"

What can have been the cause of such neglect and contumely as I have suffered, under the full knowledge that such a secret was in my power? There can only have been two causes,—unmerited and personal aversion without reason, or want of political courage to put my plans into execution. Whether of the two causes be accepted, they form the highest compliment which was ever paid to man, viz. *that no amount of neglect or persecution could induce me to betray my country.* The report of the committee paid me the compliment which is at least my right, and how great a compliment it is, futurity may one day unexpectedly have to decide.

No doubt to use such powers for ambitious purposes would be wicked; but what guarantee have we that if in the possession of ambitious nations, they may not be turned against us? To use them in the defence of order and civilization would be praiseworthy, but to let the world know that we are at all times prepared to use them against aggression, would be a protection of the best interests of mankind no less than of our own. Such knowledge can only be dangerous to those who have cause to fear it, but to those possessing it, it is power, strength, and safety.

The public is now in possession of all material circumstances connected with the subject, except the plans themselves, which, for obvious reasons, are, it is to be hoped, *still secret.*

I am not certain whether—were the plans disclosed—the advantage would not be in favour of publicity. Such disclosure would demonstrate that there could be no security in coast defences and other stationary asylums, on the construction of which it is now proposed to expend so many millions of the public money. It would show the inexpediency of an expenditure of ten—which may mean twenty—millions for the construction of forts and harbours, instead of applying half the amount to remodel and renovate the navy. The disclosure

might have the effect of preventing useless expenditure, and of averting the danger of future parsimonious naval administration, by leading to the adoption of essential measures of nautical improvement, by which alone the safety of the country can be preserved.

The disclosure of these plans would also have the effect of binding over nations to keep the peace. Still less would the English public countenance the extravagant and inefficient projects devised for the protection of their insular position, open at all points, and only to be protected by a superior naval force, which shall avert danger on the first menace.

As the subject of fortifications is now uppermost in every man's mind, I will venture a few remarks on my experience of this mode of defence.

A story is told of the Duke of Wellington, which embraces the whole subject. On his appointment as Warden of the Cinque Ports, the inhabitants of Dover, well known for their keen scent of a profitable job, applied to the Duke for an increase of their fortifications, already a stupendous monument to the folly of those who have added to them.

The Duke's reply was the perfection of military wisdom. "*The fortifications of Dover would be, no doubt, very useful if an enemy came in that way, but I don't think he would! They might also be very useful if an enemy went out that way, but I don't think he would!*" In that sentence is comprised the whole subject of fortifications, unless erected specifically for the defence of a dockyard or an arsenal, as at Portsmouth, Plymouth, &c. It is true that in his last years the Duke retracted his opinion in some degree, but I could never learn the reasons he assigned for so doing.

Why should an enemy go to a coast fortification when he can land miles away from it? I will take the instance of the Dover fortifications, which are the most stupendous in this country. What is there to prevent an enemy from landing at Walmer, where there is nothing to oppose him but the six popguns in the flower-garden of the Castle? He may effect a debarkation there at all times of the tide, in any wind and almost in any weather. The distance from the fortifications of Dover is little short of seven miles. By making a strong feint by sea on Dover, the garrison could not quit their works to prevent the disembarkation at Walmer, for if they did the feint would be turned into a real attack. Neither, when the disembarkation

had been effected, would they be likely to quit their works for the purpose of harassing the invaders, for so surely as they marched out for this purpose a sufficient portion of the enemy would march in. The whole would simply amount to this, that the garrison, say 10,000 or 20,000, would be cut off from communication with the army elsewhere, and would thus be completely neutralised. Lastly, when disembarked at Walmer, the fortifications of Dover could not in the slightest degree interrupt the enemy's communications by sea. Nothing but an efficient navy could do that; and with an efficient navy the disembarkation at Walmer would never be attempted. All this is plain enough; for, after all, military tactics are founded on common sense, and the amount of common sense decides their superiority.

Where fortifications are the key to a province, it is frequently advisable to capture them; and this may be an easier matter than military men in general are willing to admit. Of course, if they sit down before fortifications *secundum artem*, the matter is one merely of time and calculation, as we have learned at Sebastopol.

When on the coast of Chili I captured a province with 120 men only, and that by storming its fortifications. These were thirteen in number, and were garrisoned by 2000 men. I was accused of rashness for the attempt; yet no more doubted the fact of my success than I doubted the reality of the attack. It was simply a matter of well-matured deliberation and calculation, in which, of course, the panic of the enemy formed an important item. The result was that I did not lose a man, whilst the enemy's killed and wounded amounted to more in number *than my whole force!* With this in addition to my former experience it perhaps will not be wondered at that my respect for fortifications is by no means great, though my respect for an efficient navy is excessive.

Full discussion of this matter would, however, require more space than can here be devoted to it; and should my life be spared I will on a future occasion enter more extensively into this and other cognate subjects. Were I now to do so, I am afraid public faith in some of its newly cherished fortifications would be materially shaken, and will therefore refrain from so doing, in the hope that improvements in our navy, the only true basis of national safety, will render such remarks unnecessary.

In short, immovable stations of defence as a protection against invasion, are not only costly and of doubtful utility, but a *reliance on them* is, in my mind, an indication of a declining state. It is little short of national imbecility to suppose that because we erect imposing fortifications an enemy *will come to them!* when he can operate elsewhere without the slightest regard to them; and the more so, as the common experience of warfare will tell him that numerous fortifications are in the highest degree national weakness, by splitting up into detail the army which ought to be in the field against him, but who are compelled to remain and take care of their fortifications. Yet *half the sum* required for fortifications as defences in case of war, would suffice to place the navy in a condition of affording far more effectual protection. There is no security equal to that which may be obtained *by putting it out of the power of an enemy to execute hostile intentions.* This can never be effected by forts, but may be accomplished by the adoption of proper measures, which I shall at present refrain from commenting on.

CHAPTER XXXV.

NAVAL AND OTHER DISCUSSIONS IN PARLIAMENT.

Sinecures.—Admiralty expenses ill-directed.—What might be done with small means.—Flogging in the army and navy attributable to a bad system: nevertheless, indispensable.—National means wrongly applied.—Injurious concessions to the French.—Denied by the government.—Explanations of my parliamentary conduct on the dissolution of parliament.—Letter to my constituents.—Appointment of officers by merit instead of political influence the true strength of the navy.—My re-election for Westminster.—Address to the electors.—Ministerial views.—Treatment of an officer.—My interference.

At the commencement of the session of 1812, it became known that his Royal Highness the late Duke of Cambridge had voluntarily given up a military emolument of nearly 5000*l.* a-year. The patriotism which moved his Royal Highness to relinquish a lucrative command which had dwindled into a sinecure, was too conspicuous to be lost sight of, not only on account of his disinterestedness, but because there was hope this practical specimen of reform, proceeding from so high a quarter, might be brought to bear on others in such a way as to induce them to emulate the example.

On the 23rd of January, I therefore moved for a copy of His Royal Highness's letter of resignation, for the purpose of grounding thereon a resolution expressive of the opinion of the House on the subject, at the same time intimating to sinecure-holders in general the desirableness of imitating the magnanimity of the royal duke. The effort was, however, in vain.

On the 23rd of February, a question was raised by Mr. Bankes respecting the payment of 2790*l.* a-year to the Secretary of the Prince of Wales, as paymaster of widows' pensions. A former report on a committee of the House had pronounced this office a perfect sinecure, of no public utility whatever, and that the office of deputy-paymaster was little better, the whole business being transacted by a clerk in the War Office at a salary of 100*l.* a-year. The reply of Mr. Perceval (then Prime Minister) to this statement was "that there was more danger to the country *from declamations against sinecures than from the sinecures themselves!*"

On this occasion I supported the *retention* of the sinecure, on the ground that the abolition of so insignificant a sum might *deceive the public into a belief that their interests were watched in that House.* The House had suffered the reports of various committees on the subject to lie dormant for thirty years, and now wished to abolish *three only* out of the long list of sinecures, which their committees had declared to be useless and burdensome to the country. It was the bounden duty of the House to have pronounced *on the whole class*, and not partially. They ought to have enumerated the sinecures to be abolished, and thus put it out of the power of ministers to exercise any discretion on the subject; instead of singling out a comparatively insignificant place from a long list of enormous sinecures, upon which the House had not so much as expressed an opinion, notwithstanding the numerous representations of its committees.

On the motion of the First Lord (the Right Hon. C. Yorke) that a sum of upwards of a million should be granted for the contingent expenses of the Admiralty, I spoke as follows:—

"LORD COCHRANE hoped, that, as a deviation from mere detail was allowed when the army estimates were in a committee, it would not be entirely out of course to offer a few general remarks while the supply of the navy was before the House; not with a view to oppose the supply for the ordinary establishment of the navy, but as to the proper application of the enormous sums granted for that service generally.

"To this nothing could, in his opinion, contribute more than that the

Board of Admiralty should not be considered as a *mere appendage to the minister of the day, and be displaced by every agitation of the political system*—whereby misapplication of means was rendered perpetual; for, just as the members acquired some knowledge of their complicated duties, and of the powers they ought to direct against the enemy, they were then displaced, to make room for others of *no experience*.

“The observations which he had to address to the chairman related chiefly to the means of annoying the enemy, which means the Government possessed in a right disposal of the naval force of the country. This was at present totally useless, except for the purpose of passive blockades. Had 5000 men, with attendant naval transports, been kept in readiness in such a central situation as Minorca, for instance, it would have been impossible for the French to have made any progress on the eastern side of the Peninsula; for no sooner should the enemy have laid siege to Tarragona, Valencia, Alicant, or any other place on the Mediterranean coast of Spain, than their affairs might have been reversed at the other extremity. Rosas, for instance, was within *twelve hours’ sail* of Minorca, and about eighteen from Alicant, whereas on the other hand it was *twenty-five days’ march* at least from Alicant to Rosas.

“Comparing the respective populations of Britain and France, it was impossible to think of carrying on an equal warfare in the Peninsula. A greater number of men than all the British who were at present there, must perish before it could be possible to drive out the French. The desultory nature of naval warfare was, in his opinion, the best calculated for that purpose, and for this we had the highest authorities in ancient and modern times. If the French, with a contemptible flotilla, could keep this country in alarm, what was our gigantic navy not capable of doing? The whole of France lay at the mercy of the British ministry. Had the enemy a naval superiority, and only 10,000 disposable troops, on what part of the shores of England could people repose in tranquillity?

“The war as at present conducted could not possibly have a successful termination. It was a great misfortune that the House of Commons listened to nothing which was beyond the sphere of their own knowledge; and when any professional man, like himself, rose up to give information, *party* was immediately thrown in his teeth; *factious motives* were instantly imputed, however pure his wishes for the good of his country. He put it to the committee, whether the whole force of this country was not on the alert, and almost concentrated on the coasts of Kent and Sussex, when an invasion was threatened by a contemptible flotilla of the enemy; and if so, what might not be done, if the gigantic naval power of England was to threaten the enemy’s shores? It was his sincere opinion, that the whole coast of France was completely at the mercy of his Majesty’s ministers.

“The noble lord next adverted to the coasting trade carried on by France, and which it was in our power to destroy. That trade existed to an extent almost incredible. It was in our power to dismantle their batteries,—to blow up their towers,—and, above all, to destroy that chain of signal-posts, by which a telegraphic communication was kept up from Flushing to Bayonne, and from the south-east point of Spain to Venice. Each of those signal-posts could be successfully at-

tacked by ten men, as, except in a few situations, they were exposed, and seldom had above two or three maimed soldiers to conduct them. He had no interest whatever in forcing those observations on the attention of the committee, and he hoped the right hon. gentleman would not think them altogether unworthy of his consideration. He should not, he said, at that time attempt to say more; but he trusted that members who were far more capable to do justice to the subject than he could pretend to be, would turn it in their minds, and bring the subject forward, or that his Majesty's ministers would investigate the truth and act accordingly. In either case he was certain attention to the hints he had thus thrown out could not fail of being attended by the most beneficial results to the country. He did not think ministers, in not having attended to the subject, were so much to blame as the House itself, for they were, or ought to be, the guardians of the public purse; but he was sorry to say, the practice of the House was *to vote estimates to a very great amount, without at all troubling themselves to inquire how those estimates were applied.*

"Besides the signal-posts he had mentioned, there were placed along the whole coast of Spain many small parties of soldiers in churches, convents, and other buildings, for the purpose of keeping the people of the maritime towns in awe, and passing along supplies to the armies, which supplies it was in our power to intercept, as the only practicable military road was within a pistol-shot of the margin of the sea. The smallest assistance would encourage the people to rise upon them; but without such assistance they are afraid to do so, knowing that the French would burn their houses, violate their wives, and murder themselves. This he had seen them do.

"During all the time he was off Catalonia, the French had barely sufficient force to defend themselves against the natives, and in every enterprise which they undertook they were foiled. It was notorious, however, to all the world, that the attention of ministers was always engaged exclusively on one or two objects, and that they never took an extended view of things. If our commander on that coast had had discretionary powers to supply Figueras, which was the key of Catalonia, with provisions, it could not have been taken by force, for it was impregnable. If Government would only act in a proper way, it was impossible that Buonaparte could go on a twelvemonth longer.

"The noble lord then referred to the American war: had ministers during that war, instead of marching large armies through the country, only transported 10,000 men from one place to another, they would soon have laid waste the whole sea-coast, and the country must have submitted.

"MR. HUTCHINSON deprecated the species of warfare recommended by the noble lord, which he thought would not be productive of the effects he expected.

"LORD COCHRANE, in explanation, defended the system which he had recommended, as peculiarly calculated to injure the enemy's coasting trade, which was the great nursery of his seamen.

"After a few questions from Admiral Markham and Mr. Tierney, as to the decrease in the estimates, and replies from Mr. Yorke, the resolution was agreed to, as were also the other usual annual resolutions relating to the navy."

As the subject of flogging in the army and navy forms a prominent subject in the present day, I may be pardoned for putting my own views, then and now, on record. On the 13th of March, on the motion for the third reading of the Mutiny Bill, Sir Francis Burdett, in a speech distinguished for humanity and eloquence, animadverted on the punishment of flogging in the army and navy, as a system derogatory to our country, where the principles of liberty, of humanity, and of civilization were better understood and practised than in any other country.

On this occasion, I delivered my sentiments as follows :—

“Lord COCHRANE hoped that, by degrees, this punishment might in due time be abolished, but declared that it was impracticable to govern any large body of men without having the power of recourse to it. He believed, however, that much of the mischief which arose from the punishment of flogging, especially in the navy, had been caused by the influence of that House. Great parliamentary interest had enabled the first families in the kingdom to force their children into the service, when too young to understand the nature of the authority entrusted to them. Many of them insisted on their decks being as clean and as shining as the floor of a drawing-room, and that their kitchen utensils should be scoured as bright as silver, with a variety of other useless and fantastic commands; and if such commands were not obeyed, they flogged severely those who had those articles in charge.

“The discipline of the navy depended on the commanding officer of each ship; and if they continued to flog for such offences, the navy must suffer. Gentlemen might think otherwise, but he knew it to be true, and he was afraid they would be convinced of it too soon. The family interest he had alluded to prevailed also, to such a degree, that even the Lords of the Admiralty had lists made out, and when an officer went to offer his services, or to solicit promotion for services performed, he was asked—‘Are you recommended by my Lady this, or Miss that, or Madam t’other?’ and if he was not, he might as well have stayed at home.

“He could not, however, vote for the motion. It would be better to look to those to whom power was entrusted, than to take away the power of punishing altogether. If it were so taken away, it would ruin the service. The best seamen in the navy would say so, and if put to the vote among the sailors, he was sure the decision would be in favour of the present mode of punishment; but they would at the same time tell the Lords Commissioners of the Admiralty that they ought to be commanded by persons of experience, and not by young men appointed by parliamentary or any other influence. He hoped he should see the practice of flogging abolished, while the power of inflicting it was suffered to remain.”

Good seamen are thoroughly aware that they have nothing to fear from a judicious and well-regulated captain, a man of sense,

who knows his duty and that of those under him. Such captains have indeed no difficulty in manning their ships, whilst those in whom the men have no confidence find difficulty. Good men on board ship stand as little in awe of the cat as do the good people ashore—who make so much fuss about what they cannot possibly understand. Amongst many hundreds of men there are always some vagabonds, who, were it not for the fear of punishment, would throw their whole work on the hands of others. On such men reasoning has no effect, nor have good seamen any sympathy with them. On the contrary, they would rather see them compelled to do their duty by the dread, or even the application of the lash, than be obliged to do the work of lazy men in addition to their own.

Landsmen also forget that a naval officer cannot get rid of a worthless vagabond. He has to account for him to the Admiralty. Were it possible to give an officer power to turn such over the side, as a landsman can turn away an unprofitable servant, he would have no occasion for the lash. But so long as he is obliged to retain such men, he must secure their obedience by the only means which will control them.

On the 16th of March came on one of those questions which added so materially to our national debt. Lord Castlereagh proposed a sum of two millions sterling as a subsidy to Portugal. He declared that the circumstances of Portugal were so much improved, and her troops exhibited so much valour, that he did not expect any opposition to the measure. This was, however, opposed by several members, on the ground of impoverishing ourselves by a system which did not produce the results the nation had a right to expect. By myself it was not opposed, but I embraced the opportunity of giving my opinion to the following effect:—

“LORD COCHRANE considered Portugal to be defensible against the French arms chiefly at the lines of Torres Vedras, which were so strong as not to require so great an army as we had there, and which gave us a free communication with the sea; whereas our operations were conducted on a much more extensive scale between Ciudad Rodrigo and Badajoz,—places which, if we got possession of them both, were not tenable unless we had a force perfectly capable of coping with the French forces in the open field. Both these places stood on plains, and the French, it should be recollected, were much superior to us in the number of their cavalry, and had often brought a much larger general force into the field.

“The war would be much less expensive were the lines of Torres Vedras considered as the true defence of Portugal; by which means,

instead of our keeping 60,000 or 70,000 men in Portugal, comparatively idle, or, at least, not in a state of military activity, we might detach just now, as we might have done before, a portion of our army to Cadiz, and raise the blockade of that city. A small portion of our army might also be sent to Catalonia, where they might reverse all the success of the enemy; and we might act all along the margin of the Mediterranean with the best effect. There were numerous small forts on the coast which we might get possession of, and thereby command all the neighbouring country. We might have done much on the whole eastern side of Spain—at Valencia particularly, and might probably retake Barcelona. All this was not only useful, but practicable at a much smaller expense than our present system. Thus we might have constantly checked and counteracted the objects of the French.

“This suggestion he did not make as his own. It had been the recommendation of others as well as his, and seemed obvious to anybody. For the principles on which it was founded he had the advantage of great authority, which he quoted. He declared that he saw nothing in the war to occasion our despair, if we conducted it on principles by which we might be enabled entirely to clear the sea-coast, and have, at the same time, a large proportion of our army, now in Portugal, disposable at home or elsewhere, for such objects as we desired to obtain. The vote for the two millions might, if applicable to these views, prove very beneficial; for no service could be more important than to sweep the French, as we might do with one effort, from the neighbourhood of Cadiz, and clear the whole Mediterranean coast from their intrusion.

“The resolution was then put and carried.”

On the 4th of May, I gave notice of a motion for an account of the quantity of French silks imported into this country under licence. The effect of this system has on one or two occasions been brought under the notice of the reader, as encouraging the French navy, by encouraging their shipping whilst our own laboured under every species of discouragement.

On the statement of Mr. Rose, Vice-President of the Board of Trade, that he had no objection to the motion, I then said that, if agreeable to the House, I would at once proceed with it, and adverted to the fact that large quantities of French silks were openly exposed for sale in this country to the prejudice of our manufacturers, to whom not the slightest concession was offered in return. Whether rightly or wrongly, it was the established policy of the legislature to prevent the importation of French manufactured goods, but the licence to do so to a small extent had been construed into a licence to import to any amount, and that without the necessary introduction through the Custom-house. I had been credibly informed that silks, to the value of several hundred thousand pounds, were at that moment lying

in the river, whilst the only clause in the licences under which these goods were suffered to be imported, and which went to secure any reciprocity whatever to this country, was one requiring that sugar or coffee, to the value of 5*l.* per ton burden, should be exported in lieu of these rich manufactured goods of the enemy. If this were the policy of our ministry at the present period of unexampled distress to the manufacturing interests, the great dissatisfaction of the manufacturers was by no means surprising.

The correctness of the statement being denied by Mr. Rose, I remarked that if no silk goods had really been imported, the return would effectually show this, and as effectually calm any dissatisfaction that might prevail. After some further unimportant discussion, the motion was agreed to.

On the order of the day for the third reading of the *Sinecure Offices Bill* (June 15th), I expressed my conviction of the propriety of abolishing all unnecessary offices during the present state of the country, feeling persuaded that sinecures were the bond of union which held parties together in that House, and that if sinecures did not exist, much more attention would be paid to public expenditure. I did not so much object to the expense which necessarily devolved on the public, as to the influence which the power of giving sinecures gave to the ministry for the time being.

The parliament being shortly afterwards dissolved, my explanations to the electors of Westminster relative to the conduct I had deemed right to pursue in parliament were comprised in the following letters:—

“Portman Square, 28th September, 1812.

“GENTLEMEN,—Being conscious that I have not used the trust reposed in me to my private advantage, or to promote the interests of those with whom I am connected by the bonds of consanguinity or friendship, and that I have no personal object to attain, I shall venture to submit my conduct to the scrutiny it must undergo, on presenting myself with a view of again becoming one of the representatives of this great city; an honour which I do not aspire to from a vain notion that I possess the qualifications requisite to perform its duties, otherwise than by acting uniformly according to the best of my judgment, uninfluenced by considerations of a personal nature. Should it appear, however, that I have erred, I am ready to assign the reasons which have determined my vote on every occasion.

“It is unnecessary to apprise you, Gentlemen, who are so well acquainted with the fact, that it is impossible for an individual, unconnected with either party, to succeed in any measure which has for its object a diminution of the means of corruption, or, in other words, the

power of rewarding those who are base enough to support men in office, regardless of their measures. Had the list of places and pensions, possessed by the members of the House of Commons and their relations, been granted, which list I moved for shortly after my return to Parliament, the public would long ago have been convinced that sinecures ought not to be considered, as they generally are, a burden of a known amount. It has ever been my opinion that their abolition alone would relieve the Crown from the thralldom in which it is held; and restore the depreciating currency, by promoting the proper inquiry into the general application of the public money, particularly as to the sums demanded for our enormous and disproportionate military establishment.

"I have frequently stated, without avail, that simply by enforcing the acts relative to prize concerns, two-thirds of the navy now employed would be more efficient than the whole is, under the mortification of finding the fruits of their toil, and often more, taken for the mere condemnation of legal captures! History shows, without the example of the House of Commons, that this is not the way to stimulate men to undergo fatigue, and encounter that kind of danger, from which no honour is to be derived. On this subject I have not been able to induce the House to look at the proofs which I held in my hand, and offered to produce. I am averse to trespass on your time, though I feel that I have material points to explain; but these I shall defer to a more fit opportunity.

"I am, however, anxious to add, that my absence lately, on occasions when you have had a right to expect my attendance, has been occasioned solely by ill health, and not by a disposition to tamper with ministers for employment, even in the execution of important plans which I had suggested; and which, if prosecuted on a fit scale, would afford France full employment in her own defence, instead of suffering her troops to employ themselves in the subjugation of our allies, by whom they are paid and maintained!

"Whether I am returned to Parliament or not, as soon as I shall have tried every means to promote measures which, if disclosed at present, would prove highly prejudicial to the public interests, I pledge myself to prove to the country, that ten millions sterling may annually be saved, and that the relative military force of England will be increased.

"Viewing your exertions in the cause of freedom and the purity of election with that admiration which they so justly deserve,

"I have the honour to be, Gentlemen,

"Respectfully, your obedient servant,

"COCHRANE."

"Portman Square, Sept. 30, 1812.

"GENTLEMEN,—Since I had the honour of addressing you, by letter, at your last meeting, I have been informed by the public prints and otherwise, that some gentlemen deemed it a material omission that I had neglected to state my opinions therein relative to Parliamentary Reform,—a course which I adopted, perhaps erroneously, as most respectful to the Committee for promoting the Purity of Election; under the conviction that they would judge of the future by the past, and not by professions. Now, however, to clear up this doubt, if any, after

reflection, remains on their minds, I hereby pledge myself to vote on all occasions for Reform, from a persuasion that the ruin of the country can be averted by that means only. I will likewise support every measure for the abolition of sinecures, which form the bond of union in the House of Commons against the interests of the people. Indeed, reflection impresses this fact so strongly on my mind, that I am disposed to think, if the advocates for Parliamentary Reform were to direct their efforts first against these glaring evils, that an efficient Reform would not be so far distant as the difference of sentiments amongst its advocates unhappily indicates.

"As to the Catholic question, Gentlemen, it is proper to inform you that so long as its inquisitorial auricular confession and its principles so favourable to despotism prevailed on the Continent, I was hostile to it; but that I am now inclined to grant the claims of the Catholics of Ireland, provided that they are content to receive the privileges of Englishmen, and to relinquish their predilection in favour of the jurisdiction of the Pope, which, however, they seem anxious to establish in that part of these kingdoms.

"Having said thus much on the most important questions that occur to me, I have only to add, relative to the objection made to a naval officer being a representative for Westminster (which I conclude is meant to extend to all other parts of the kingdom), that one-half of the taxes levied on the people of England is disbursed on the navy—for objects which the ability of all the civil members of Parliament cannot detect to be erroneous from the inspection of accounts. Neither are they judges of the means best calculated to give protection to trade, and annoy the enemy by that mode of warfare to which England must at last resort.

"I had nearly omitted to notice that I am no advocate for flogging; although I maintain, from a knowledge of fact, that your fleets could not be governed at present if the power did not exist,—a power which will cease to be abused when Parliamentary influence shall cease to place incompetent persons in command, and that in a great measure depends upon your exertions.

"I have the honour to be,

"Gentlemen,

"Your most humble obedient servant,

"COCHRANE."

The concluding paragraph of this letter will bear comment, even in our day. The appointment of officers to commands ought to be regulated less by interest than *desert*. The truth of this is now practically admitted in other departments of the State, but unhappily the Admiralty, to which is confided our only protection from invasion, is, to a great extent, looked upon as a ministerial patronage preserve, and to this supposed necessity the national safety may one day be sacrificed. It has been urged, in defence of the system, that it is a matter of little consequence, for that steam having bridged the Channel, invasion is only a question of a few hours, whoever may be in

command of our ships. This I deny. If our ships are in a fit condition, and properly commanded, it is as easy to destroy the enemy's "bridge" as ever it was, and we shall be as much at liberty to use our own bridge as in former days.

If the Admiralty could be freed from its political trammels, there is no question but that those who direct its affairs would be generally guided in their appointments *by merit alone*. That it is not so, is a proof that, under the unfortunate prevalence of political influence and patronage, no fair and well-understood system of promotion can be established. Hence boys and subordinate officers, if destitute of influence, have no stimulus to acquiring a knowledge of their profession. Far otherwise, for whatever may be their proficiency or services, the only certainty they have is that some one with more influence and perhaps inferior claims may be promoted over their heads. It is not reasonable to suppose that such a system can produce energetic captains or admirals, except by accident.

As one ship well officered and manned is more effective than two of an opposite description, a defined and well-regulated system of promotion upon which all can rely will cost less to the nation, and become the most economical as well as the most effective. The true strength of the navy is not in the multitude of ships, but in the energies and alacrity of officers and crews; and the repression of these qualities by a false system of political influence, renders a double force requisite for the accomplishment of the vital objects of the naval service. This is as much a waste of power as the system itself is *want of power*.

The necessity of wholesome stimulating encouragement was deeply felt in the wars consequent on the French Revolution, and it will be felt in future wars whenever they arise. No one unacquainted with the matter can imagine how much was lost during those wars from a total disregard of the fitness of individuals appointed by political influence. The subordinate officers appointed to ships of war were frequently so incompetent as to paralyse the exertions even of the most able commanders, who could not be expected to sustain the fatigue of being always on deck. For my own part, I was so annoyed by the description of persons attempted to be palmed upon me, that, as I have somewhere else said, I preferred going to sea with midshipmen of my own training, making them perform the duties of lieutenants, rather than run the risk of receiving such

lieutenants as were frequently appointed to situations in active frigates, through aristocratic or political influence. I am sorry the names of my midshipmen have for the most part escaped my memory, but I may point to three of my own making—the late Lord Napier, Captain Marryat, and the present gallant Admiral Sir Houston Stewart. These were my officers in Basque Roads, where I had only one lieutenant. On quitting Plymouth in the ‘*Impérieuse*’ to undertake that perilous duty, I sailed with *one lieutenant only*, to avoid the encumbrance of persons in whom I feared to repose confidence.

To return to my subject. On my re-election for Westminster, I published a long address to my constituents. From this I shall only adduce the following extracts:—

“GENTLEMEN,—Being unable to convey in words the sensations I experience in reflecting on the manner in which you have returned me to Parliament, I shall leave it to you, who are capable of such acts, to estimate my feelings.

“Gentlemen, no part of the cant of the times seems to me more hypocritical than the declamation by party-men against what they term the ‘overwhelming influence of the Crown;’ when the fact is notorious to us all that the ruling faction in Parliament seize the offices of state and share them amongst themselves. If a doubt as to this truth exist in the mind of any one, let him reflect on the language of the parties themselves, ‘Such an administration cannot stand.’ And why, Gentlemen?—not because the royal protection has been withdrawn, but because a sufficient number do not agree as to the division of the spoil. Our liberties in these days are not in danger from violent and open exercise of regal authority; such acts, being free from the deception practised by the mock representatives of the people, would not be tolerated for an instant. No, Gentlemen, it is by the House of Commons alone that the Constitution is subverted, the prerogatives of the Crown usurped, the rights of the people trampled upon.

“Gentlemen, I shall not attempt to enumerate the decisions of the late House of Commons,—these stamp little credit on the memory of the principal actors, who cannot escape from the contempt of posterity, as may, from their insignificance, the nameless individuals who composed their corrupt majorities. The *effects*, however, of this system of corruption may be thus briefly stated; the prolongation of war, the increase of the national debt, the depreciation of our currency, the disappearance of our coin, the stagnation of our commerce, and the consequent unexampled embarrassment of our manufactures.

“Hurtful, however, as the measures pursued have been, our total neglect of others has proved still more prejudicial; for whilst France has inflicted on us the evils of war, intimidating surrounding states into compliance with her views, we, who have possessed facilities to direct every portion of our force to unknown points within the extensive range of 2000 miles of unprotected shore, have never even made a demonstration with intention to disturb the enemy’s projects and force

him to keep his legions at home, but have left him at full liberty to prosecute his plans at the expense of our allies, or in the way most conducive to his interests; and, surely, none could suit him better than to fix the little army of England in the centre of the Peninsula, where its movements are not of a desultory nature, and where, admitting the great ability of its commander, a comparatively small portion of the enemy's force is fully adequate to counteract its *known movements*! What part of these kingdoms would be secure from attack if the French possessed a naval superiority, with only 20,000 troops at their disposal? It is obvious that there must be in every district a force equal to that which the enemy could bring against it.

"Gentlemen, I cannot avoid stating a fact to you which I have often offered to prove at the bar of the late House of Commons, namely, that whilst our commerce has decreased, that kind of trade which is most beneficial to a state has augmented on the shores of the enemy, in a prodigious ratio; and the produce of the northern and southern provinces is freely interchanged under the protection of the abuses of our Admiralty Courts, which afford better security than all the batteries of France. The plain reason for this is, that each of the numerous coasting vessels must, for the benefit of the court, be separately condemned, at an expense greater than was formerly demanded for the adjudication of an Indiaman! Gentlemen, the rapacity of these courts is frequently not satisfied by appropriating the *whole* proceeds to themselves, but the captors are compelled to *pay* an additional sum for thus performing a service to their country. Gentlemen, that you may have a correct notion of a proctor's bill, I take the liberty of enclosing one for your inspection, which, I assure you, may be considered very moderate, being only six fathoms and a quarter long, or thirty-seven feet six inches, whereas I now possess others that extend to fifty feet; but I prefer sending this to your committee, as it is the one produced by myself in the House of Commons, and by the venerable Earl of Suffolk in the House of Lords; the exhibition of which was pronounced by the present Lord Chancellor Eldon (the brother of the judge of the Admiralty Court) to be a species of *mummery* never before witnessed within those walls, and altogether unbecoming the gravity of that branch of the legislature.

"The example of the industrious bee demonstrates by the laws of nature that the drone is not to live at the expense of the community, notwithstanding what the Whigs have said of sinecures being held by tenure equal to that of freehold property."

From the preceding incomplete enumeration of my parliamentary efforts, it will be apparent that as regarded my profession I had not been idle; but every step I took appeared to remove me farther from my chance of being again employed. Notwithstanding that in those days the language of members frequently passed those bounds which the modern practice of the House of Commons has prescribed, in no instance, that I am aware of, could I be accused of intemperate treatment of any subject under discussion. Independently of the sore point of

Lord Gambier's court-martial, which was no act of mine—my offending could have been none other than the one of attempting to rouse the authorities to an effort for the amelioration of the navy, for objects which under the old system were notoriously not achieved, viz. *crippling the energies of the enemy*. It was in the circle of my political opponents considered that as member for Westminster I had no right to interfere with naval matters—*because I was a post-captain!*

It is, nevertheless, a singular fact—and one which cannot be said of any other officer of my then standing as a post-captain—that from 1801 to 1812—on no occasion, not even for a single day was any vessel of war—save the one in which my pennant flew—once placed under my command, or once offered to me, with the single exception of the affair at Basque Roads, when I was for a few days appointed to organize and make use of a flotilla of explosion and fireships, the command of which *had been declined by several other officers to whom it had been proposed*, and then thrust on me contrary to my inclination.

That one cause of my being thus passed over was my unceasing advocacy of the navy, admits of no doubt. It must be apparent that my motions relative to the Courts of Admiralty raised the enmity of all who profited by their abuses, and these were neither few nor uninfluential,—that my repeated invectives against sinecures and pensions arrayed against me all who benefited by them—whether personally or through their connections. It is, indeed, not too much to say, that those interested in sinecures and pensions comprised in those days a majority of the House of Commons, who stood up for their own interest at the national expense as for a right.

My motion respecting the treatment of French prisoners, and especially my declaration of the probable motive for erecting the prison of Dartmoor in a dreary, desolate, and unhealthy position, such as ought not to have been selected for convicts, served to increase the ministerial anger. Nor was the evil abated. On a second visit to the place, I encountered a spectacle which made me ashamed of my country.

The reader will remember the action between the 'Pallas' and 'Minerve' in Basque Roads, as elsewhere narrated. My gallant adversary in that frigate was Captain Collett, who kept the deck after every one of his crew had been driven below by our fire, which, as the 'Minerve' had taken the ground, swept her decks. My gallant opponent, however, kept the

deck, or rather stood on a gun, with as much *sang-froid* as though we had been firing a salute. On our becoming entangled with the 'Minerve's' rigging, he raised his hat, with all the politeness of a Frenchman of the old school, and bowed to me, a compliment which I returned. Judge of my surprise, when refused admission into the prison at Dartmoor, and prowling about its out-offices, at finding my gallant enemy *located in the stall of a stable*, he having been recently made prisoner. I promised to use my best endeavour to get him removed, and on my arrival in London did so. I believe with effect, but to what other locality has passed from my memory.

There is no necessity to enumerate other matters already familiar to the reader in order to show the estimation in which I must have been held by those who opposed what they considered innovations, though they must have been as well aware of the evils of a rotten system as myself.

CHAPTER XXXVI.

MY MARRIAGE.

Romantic character of my marriage.—Unforeseen difficulties.—Family results.

THE event recorded in this chapter is the most important and the happiest of my life, in its results,—the "silver lining" to the "cloud," viz. my marriage with the Countess of Dundonald. It has been said by a Scottish writer that "the Cochranes have long been noted for an original and dashing turn of mind, which was sometimes called genius—sometimes eccentricity." How far this may be true of my ancestors, I shall not stay to inquire. Laying no claim to the genius, I however dispute the eccentricity in my own case, notwithstanding that appearances, so far as relates to my past life, may be somewhat against me. Without a particle of romance in my composition, my life has been one of the most romantic on record, and the circumstances of my marriage are not the least so.

Early in the year 1812, it was my good fortune to make the acquaintance of the orphan daughter of a family of honourable standing in the Midland Counties, Miss Katharine Corbett Barnes. In consequence of the loss of her parents, the lady had been placed during her minority under the guardianship of her

first cousin, Mr. John Simpson of Portland Place and also of Fairlorn House in the county of Kent, of which county he was then High Sheriff. The story is the old one. Shortly after my introduction to this lady I made proposals of marriage, and was accepted.

But here an unexpected difficulty arose. I was at that time residing with my uncle, the Hon. Basil Cochrane, who had realised a large fortune in the East Indies. My attachment—though not my engagement—to my *fiancée* had by some means reached him, and he at once attempted to divert my purpose by proposing to me a marriage with the only daughter of an Admiralty Court official who had realised a very large fortune by the practices which have already been made familiar to the reader.

I cannot describe the repugnance which I felt even to the proposition, and pointed out to my uncle the impossibility of marrying the daughter of one of those persons whom I had so severely denounced ; adding that not only would such a step be a deviation from those principles which ought to guide a well-regulated mind in the selection of a wife, but must be destructive of my public character, which would be so clearly sacrificed for money, that it would render me contemptible to my constituents, and would prevent my again meriting public confidence. His reply was brief and caustic. “ Please yourself: nevertheless, my fortune and the money of the wife I have chosen for you, would go far towards reinstating future Earls of Dundonald in their ancient position as regards wealth.”

This conversation was communicated to the lady to whom I was affianced, on whom I urged a consent to a secret marriage, —a proposition in which she refused to acquiesce. My uncle, however, continuing firm in his resolves, I at length prevailed upon her to overcome her repugnance, and we were, on the 8th of August, 1812, married at Annan in Scotland.

On my return my uncle again renewed the subject, and one morning, during our walk, he informed me that he had made his will, leaving me one half his fortune. He, however, declared, that compliance with his wish as to my marriage with the heiress of the Admiralty Court official was essential to its eventual confirmation. On arguing this, on the same grounds as before, he observed that some other person of wealth must be sought for, as his object was to retrieve the family fortune. Meanwhile he required my assurance that I would not marry

without his sanction. Compliance with this was declined for the best of all reasons, that I was already married.

The fact of our marriage was not long concealed, and I did not inherit a shilling of my uncle's wealth, for which loss, however, I had a rich equivalent in the acquisition of a wife whom no amount of wealth could have purchased. A yet more singular sequel has to be told. On the discovery of the marriage, my uncle, though then an old man, also married, and was easily made to believe that non-payment of a large sum due to him from Government, on account of some contracts undertaken before he quitted India, had been delayed on account of my parliamentary opposition to the ministry. This may or may not have been the case, but it induced my uncle to request that our future association might be less frequent. An intimation followed by the still more questionable course of his requesting an interview with Lord Liverpool, for the purpose of informing his lordship of the step he had taken with regard to myself, and assuring him that he had never countenanced my conduct in parliament. Singularly enough, my uncle's demands upon the Government were soon afterwards settled.

It was my wish here to have spoken of my wife's devotedness to me amidst the many trying circumstances in which I have been placed. They do not, however, come within the scope of this volume, as regards their chronological order; I therefore postpone their narration.

CHAPTER XXXVII.

NAVAL ABUSES.

Greenwich Hospital.—Droits of Admiralty.—Pensions.—My efforts fruitless.—Contradiction of my facts.—The Manchester petition.—Naval debates.—Resolutions thereon.—Mr. Croker's reply.—Remarks thereon.—Sir Francis Burdett.—My reply to Mr. Croker.—Resolutions negatived without a division.—Sir Francis Burdett's motion.—Mr. Croker's explanation.—His attack on me confirming my assertions.—The truth explained.—Another unfounded accusation.—Official claptrap of his own invention.—My reply.—Its confirmation by naval writers.—Lord Collingwood's opinion.—My projects adopted in all important points.—Official admissions.—The result to myself.

Soon after the commencement of the session of 1813, I made an attempt to direct the attention of Parliament to the administration of the funds of Greenwich Hospital, in the hope of restoring

them to their legitimate purpose of rewards for wounds and long service in the navy. At this period their perversion had become notorious. In place of old retired seamen, not a few of the wards were occupied, and pensions enjoyed, by men who had never been in the navy at all, but were thus provided for, to the exclusion of worn-out sailors, by the influence of patrons upon whose political interest they had a claim.

As the only way to arrive at the full extent of the evil, in the absence of definite knowledge as to the specific documents required, I moved in the House of Commons, on the 11th of March 1813, for *all papers* relative to the chest at Greenwich.

The motion was met by a suggestion from the Speaker—that “if those papers *had been* laid on the table during the present session there would be no difficulty in granting them, but that if not, I must *specify* the particular papers required.” This, of course, I was unable to do, but gave my reason for the motion as follows:—

“LORD COCHRANE then proceeded to express his wish that the state of the funds in Greenwich Hospital should be known, in order to ascertain whether they were sufficient to make provision for that great body of seamen and petty officers who would be entitled to be placed on the establishment at the conclusion of the present war. The House, he was satisfied, could have no objection to this information being laid before them. One of his reasons for moving for it now was, the fact of his having learned that it was in contemplation to devote the Droits of the Admiralty to the current services of the year. The noble lord concluded by moving, ‘That there be laid before this House an account showing the revenues of Greenwich Hospital and the sources whence they are derived, also the disbursements for management and the number of pensioners in each class; distinguishing those maintained within the hospital from the out-pensioners; also an account of the number admitted in each year since 1800, and the amount of the pensioners at that time maintained within and without the hospital.’

“LORD A. HAMILTON seconded the motion.

“THE CHANCELLOR OF THE EXCHEQUER said it was perfectly new to him that there was any intention to devote the Droits of Admiralty in the manner stated by the noble lord. He knew of no right which existed in His Majesty’s Government to make such an application of those Droits, and if they were so applied, it must be considered entirely as arising from an act of royal bounty. The noble lord had adduced no reasonable ground for the production of the papers for which he had moved. Whether they were of an objectionable description or not he was unable to judge; but he could not see why the table of the House was to be crowded with useless and unnecessary documents. He should, therefore, move the previous question.”

It was true that my having heard of the intention of the Government with relation to the Droits of Admiralty might not

be a parliamentary ground for their production, but it was a ground for asking the question. Had I, however, stated my real motives, the only effect would have been prompt denial of the fact by all interested in the continuance of the abuse, which could only be proved by the papers themselves. I therefore endeavoured to procure them on other grounds.

“LORD COCHRANE persisted in the propriety of the House having before them the information for which he had moved. There never was a period at which it was more desirable that some steps should be adopted to ameliorate the situation of His Majesty’s navy. Those brave men of which it was composed were subject to the most heartrending oppressions; and, in his opinion, had every cause to complain of their situations. After having been released from the labours of a long and arduous service, they were not, as they richly deserved, suffered to return to the bosoms of their families, but were kept almost to the last hour of their existence in a constant and unremitting state of servitude, unless where they determined to sacrifice that reward which their country had provided for them as a consolation for the buffeting they had undergone to purchase their discharge.

“This had frequently been the case; and he had received constant applications complaining of this species of hardship. Two men had lately applied to him, who, after a service of seventeen years and a half, as petty officers, had been sent to perform that most scandalous of all duties—harbour duty; where there was no distinction whatever between petty officers and private men; and who, rather than submit to be longer disgraced, had expended 80*l.* or 90*l.* each to obtain their discharge. These men were entitled to pensions of 12*l.* or 14*l.* a year; and he was convinced that there was not an insurance office in town that would not have given, at their age, for the sums they had paid for their discharge, annuities equal to their pensions. Instead of Greenwich being a source of advantage and reward to aged seamen it was made a means of recruiting for the navy.

“Unless some alteration was made in this system he should feel it his duty to move for leave to bring in a bill to limit the service of the navy. The House, he was convinced, would see the necessity of pointing out some term at which a seaman’s service was to be brought to a conclusion, and at which he might have some hope of resting his frame, after an arduous and gallant service, in the lap of domestic happiness and retirement. In consequence of the present arrangements, men were employed who were absolutely incapable of performing their duty, and in his own ship he had found men who, if he had the power, he would much rather have discharged than have suffered to remain on board. In other instances he knew men, who had been invalided three times and sent into harbour duty, volunteer into active service three times, in order to avoid that disgrace, and finally die amidst the roar of battle, when their tottering limbs were scarce able to support them to their quarters.

“Mr. Rose could not see that any grounds whatever had been laid for the noble lord’s motion. The statement into which he had entered tended to censure the practice that at present existed with respect to the discharge of seamen. He recollected that this subject had been

before under discussion in the House, and that it was then stated that the present practice had been introduced in order to exempt the men from the necessity of finding two substitutes, under which they before laboured. This question, however, had no connection with the motion, which referred entirely to the management of Greenwich Hospital. He believed that the affairs of that department were as well and regularly conducted as any other branch of the public service.

"LORD A. HAMILTON said he understood the noble lord complained of the present system by which the allowance received by seamen from Greenwich Hospital was rendered useless to them, in consequence of the large sums which they were compelled to pay for their release.

"MR. WYNN confessed he could see no connection between the matter of the speech and the motion itself of the noble lord. As the case, however, to which he had called the attention of the House, was undoubtedly hard, it was very desirable that information should be communicated in some mode.

"The previous question was then put and carried, when LORD COCHRANE immediately gave notice that he would, that day month, move for leave to bring in a bill to limit the service of the navy."

There was not, in fact, much apparent connection between my speech and the motion, because the Speaker had prohibited me from making the motion in such a way as would establish the connection. Nevertheless, that both the House and the ministry well understood my aim, was evident from the fact, that the Secretary of the Treasury was sufficiently alarmed by the attempt which had been made, to induce him to come down to the House *after I had quitted it*, and at the last moment of its sitting, in order to defend the Admiralty from the effects of a motion which had been refused !

"MR. CROKER, before the House adjourned, rose to make a few observations upon what had fallen from the noble lord in the early part of the evening, when he did not happen to be present. If however, he had correctly understood what had fallen from that noble lord, he begged leave to say, that the noble lord had been wholly misinformed with respect to the sums of money taken instead of substitutes for the navy. The fact was, that the grossest frauds having been practised upon the poor men under pretence of providing substitutes for them, the Admiralty had come to the resolution of receiving a certain sum of money from them, and to find substitutes."

Notwithstanding the want of connection, Mr. Croker perfectly understood the point to which I was coming in the end, and hence his taking the course of flatly contradicting the premises after I had quitted the House. My early connection with this gentleman has been previously stated,* as well as the fact, that believing in his sincerity as an ardent opponent of adminis-

trative abuses of all kinds, I had, during our acquaintance, without reserve, and in the belief that I had an able coadjutor, unbosomed to him my views with regard to the abuses of naval administration. Now that he was in an official position which required him to defend *all abuses*, and considering that I stood almost alone in exposing them, he was in possession of *all my plans of action*! There can, however, be no better proof of the soundness of my views, than the fact, that although he had previously been made well aware of my line of argument, he never attempted to meet me by argument, but always by *flat contradiction of my facts*. We shall presently come to some remarkable instances of this nature.

On the 2nd of June I presented to the House a petition from the inhabitants of Manchester, a petition complaining of ill usage, false imprisonment, and malicious prosecution, whilst peaceably assembled to petition Parliament for a reform. It is unnecessary to advert to these allegations, as they are now an historical record, but that the people of Manchester should have selected me as the exponent of their grievances, only added to the ministerial aversion with which I was regarded.

On this occasion an attempt was made by Mr. Bathurst to procure the rejection of the petition, on the ground that the petitioners, if aggrieved, "*could seek redress in a court of law, but that the House could not afford them relief!*" There was something so heartless in such an attempt that it called up some members by no means hearty in the popular cause.

"MR. WHITBREAD supported the motion, contending that to men in the circumstances of the petitioners (some of them being now prisoners for debt), it was a mere mockery and taunt to tell them that the courts of law were open to them, where they might bring actions for malicious prosecutions. It reminded him of a saying of the late Mr. Horne Tooke, who, on being told that the courts were open to all classes, replied, "Yes, and so is the London Tavern, if you have money enough." As the petition was couched in respectful terms, he thought it would be setting a bad precedent to reject it; it was usual, even though Parliament could not interfere, to see the magistrates did not exceed the bounds of their jurisdiction.

"MR. WYNN observed that the House had been at all times peculiarly jealous that no obstructions should be given to the exercise of the right of petitioning; and as the present complaint related to an alleged obstruction of that nature, it ought to be received.

"The petition was ordered to lie on the table."

The circumstances which brought upon me the subsequent vengeance of the Admiralty will be found in two debates which

took place in the House of Commons shortly before its prorogation—the one on the 5th, and the other on the 8th of July, 1813.

As the subject matter of these debates possesses great naval interest, and as the causes which led to them are not wholly inoperative in our day, I shall adduce them at some length, not so much for my own vindication, as in the light of history teaching by example.

The subject matter of the debates being sufficiently included in the reports of the time, very little comment will suffice.

“LORD COCHRANE rose, pursuant to notice, to bring forward his motion for increasing the remuneration and limiting the service of seamen. He thought it was his duty to lay before the House the reasons why our seamen preferred the *merchant foreign service** to that of their own country, to enter which they discovered a very great reluctance.

“The facts by which he meant to prove this he had compressed into one resolution ; as he was anxious that when the members of that House retired from their parliamentary duties, they might consider these facts at their leisure, and satisfy themselves as to the correctness of the statement, in order that when they met again they might have no hesitation in adopting such propositions, the object of which would be the redress of those grievances which were the subject of it. As he did not conceive that any objection could be made to the mode of proceeding he had adopted, he would not occupy the time of the House any longer than by reading the resolution. The noble lord then read the following resolution :—

“ ‘ That the honour of His Majesty’s Crown, the glory, and safety of the country, do, in a great degree, depend on the maintenance, especially in time of war, of an efficient naval establishment :

“ ‘ That during the late and present war with France, splendid victories have been gained by His Majesty’s fleets and vessels of war, over a vast superiority in the number of guns and men, and in the weight of metal :

“ ‘ That these victories thus obtained were acquired by the skill and intrepidity of the officers, and by the energy, zeal, and valour of the crews :

“ ‘ That during the present war with the United States of America, His Majesty’s naval service has, in several instances, experienced defeat, in a manner and to a degree unexpected by this House, by the Admiralty, and by the country at large :

“ ‘ That the cause of this lamentable effect is not any superiority possessed by the enemy, either in skill, valour, nor the well-known difference in the weight of metal, which heretofore has been deemed unimportant ; but arises chiefly from the decay and heartless state of the crews of His Majesty’s ships of war compared with their former energy and zeal ; and compared, on the other hand, with the freshness and vigour of the crews of the enemy.

“ ‘ That it is an indisputable fact, that long and unlimited confine-

* The American merchant service.

ment to a ship, as well as to any other particular spot, and especially when accompanied with the diet necessarily that of ships of war, and a deprivation of the usual recreations of men, seldom fails to produce a rapid decay of the physical powers, the natural parent, in such cases, of dependency of mind :

“ ‘ That the late and present war against France (including a short interval of peace in which the navy was not paid off) have lasted upwards of twenty years, and that a new naval war has recently commenced :

“ ‘ That the duration of the term of service in His Majesty’s navy is absolutely without any limitation, and that there is no mode provided for by law for the fair and impartial discharging of men therefrom ; and that, according to the present practice decay, disease, incurable wounds, or death, can alone procure the release of any seaman of whatever age or whatever length of service :

“ ‘ That seamen who have become wholly unfit for active service are, in place of being discharged and rewarded according to their merits and their sufferings, transferred to ships on harbour duty, where they are placed under officers wholly unacquainted with their character and former conduct, who have no other means to estimate them but on the scale of their remaining activity and bodily strength ; where there is no distinction made between the former petty officer and common seamen, between youth and age, and where those worn-out and wounded seamen who have spent the best part of their lives, or have lost their health in the service of their country, have to perform a duty more laborious than that of the convict felons in the dockyards—and with this remarkable distinction, that the labours of the latter have a known termination :

“ ‘ That though the seamen thus transferred and thus employed have all been invalided, they are permitted to re-enter ships of war on actual service ; and that such is the nature of the harbour duty, that many, in order to escape from it, do so re-enter—there being no limitation as to the number of times of their being invalided, or that of their re-entering.

“ ‘ That to obtain a discharge from the navy by purchase, the sum of 80*l.* sterling is required by the Admiralty, which, together with other expenses, amounts to twenty times the original bounty, and is equal to all that a seaman can save with the most rigid economy during the average period in which he is capable of service ; that this sum is demanded alike from men of all ages and of all lengths of servitude—from those pensioned for wounds, and also from those invalided for harbour duty ; thus converting the funds of Greenwich, and the reward of former services, into a means of recruiting the navy :

“ ‘ That such is the horror which seamen have of this useless prolongation of their captivity, that those who are able, in order to escape from it, actually return into the hands of Government all those fruits of their toil which formerly they looked to as the means of some little comfort in their old age :

“ ‘ That, besides these capital grievances—tending to perpetuate the impress service, there are others worthy the serious attention of this House ; that the petty officers and seamen on board of His Majesty’s ships and vessels of war though absent on foreign stations for many years, receive no wages until their return home, and are, of course,

deprived of the comforts which those wages, paid at short intervals, would procure them ; that this is now very severely felt, owing to the recent practice of postponing declarations of war until long after the war has been actually begun, by which means the navy is deprived, under the name of Droits, of the first fruits and greatest proportions of the prize-money to which they have heretofore been entitled ; and thus, and by the exactions of the Court of Admiralty, the proportion of captures which at last devolves to the navy is much too small to produce those effects which formerly were so beneficial to the country :

“That while their wages are withheld from them abroad, when paid at home, which, to prevent desertion, usually takes place on the day before they sail out again, having no opportunity to go on shore, they are compelled to buy slops of Jews on board, or to receive them from Government at fifteen per cent. higher than their acknowledged value ; and being paid in bank notes they are naturally induced to exchange them for money current in other countries, and which, it is notorious, they do at an enormous loss :

“That the recovery of the pay and prize-money by the widows, children, or relatives of seamen is rendered as difficult as possible ; and, finally, the regulations with regard to passing of the examination requisite previous to an admission to the benefits of Greenwich Hospital, subject the disabled seaman to so many difficulties, and to such long delays, that, in numerous cases, he is compelled to beg his way in the pursuit of a boon, the amount of which, even in the event of loss of both eyes or both arms, does not equal that of the common board-wages of a footman :

“That one of the best and strongest motives to meritorious conduct in naval and military men is the prospect of promotion ; while such promotion is, at the same time, free of additional expense to the nation ; but that in the British naval service this powerful and honourable incitement has ceased to exist, seeing that the means of rewarding merit has been almost wholly withdrawn from naval commanders-in-chief under whose inspection services are performed ; in fact it is a matter of perfect notoriety that it has become next to impossible for a meritorious subordinate petty officer or seaman to rise to the rank of lieutenant ; that in scarcely any instance promotion or employment is now to be obtained in the navy through any other means than what is called parliamentary interest, that is to say,—the corrupt influence of boroughs :

“That owing to these causes chiefly the crews of His Majesty's ships of war have in general become in a very considerable degree worn out and disheartened and inadequate to the performance, with their wonted energy and effect, of those arduous duties which belong to the naval service ; and that hence has arisen, by slow and imperceptible degrees, the enormous augmentation of our ships and men, while the naval force of our enemies is actually much less than in former years :

“That, as a remedy for this alarming national evil, it is absolutely necessary that the grievances of the navy, some of which only have been recited above, should be redressed ; that a limitation of the duration of service should be adopted, accompanied with the certainty of a suitable reward, not subject to any of the effects of partiality ; and that

measures should be taken to cause the comfortable situations in the ordinary of the dockyards, the places of porters, messengers, &c. &c., in and about the offices belonging to the sea service, the under-wardens of the naval forests, &c., to be bestowed on meritorious decayed petty officers and seamen, instead of being, as they now generally are, the wages of corruption in borough elections :

“That this House, convinced that a decrease of energy of character cannot be compensated by an augmentation of the number of ships, guns, and men, which is at the same time a grievous pecuniary burden to the country, will, at an early period next session, institute an inquiry, by special committee or otherwise, into the matters above stated, and particularly with a view to dispensing suitable rewards to seamen; that they will investigate the state of the fund of Greenwich Hospital, and ascertain whether it is necessary to apply the Droits of the Admiralty and the Droits of the Crown as the natural first means of compensation to those who have acquired them by their valour, their privations, and their sufferings.”

“SIR FRANCIS BURDETT seconded the resolution.”

“MR. CROKER thought that, when the noble lord had adopted his present method of proceeding, he would have acted only consistent with the courtesy of Parliament had he *given notice** of his intention to those persons whose duty it might be to take part in any discussion. The honourable member said he would have felt obliged by any information the noble lord might have imparted; but though wanting such, he had come unprepared into the House to meet the noble lord's resolution. He should be wanting in his duty if he did not state most positively, that, excepting the tribute of just praise, which, in the commencement of his resolution, the noble lord had paid to the gallantry and heroism of our own seamen, *every other part of it was liable to the charge of being wholly unfounded in fact*, or very much indeed exaggerated. The statements those resolutions contained were so astonishing—true it was *less astonishing when coming from the noble lord than from any other person*—but still even from him they were so astonishing, that surely they ought not to have been so suddenly, and with so little preparation, brought under the consideration of that House. There was no one but the noble lord who conceived that the disasters which we had experienced in the course of the present war with the United States were not to be attributed to a superior force on the part of the enemy, but to a decay of all ardour in our seamen in the defence of their country. Was the crew of the ‘Java’ then, who had maintained so stubborn a conquest, dispirited? Was the crew of the ‘Macedonian’ disheartened and reduced by hard-usage to imbecility and cowardice? So far was that from being the fact, that it was in the latter part of the action the spirit of the crew of the ‘Macedonian’ was most conspicuous, that the spirit of her officers and her brave commander was most conspicuous. So little broken was the spirit of that crew which the noble lord had described as utterly heartless and imbecile, that till the very last they met the attacks of the enemy with loud and repeated cheers.

“Now for another fact on which the noble lord had formed his resolution. He had stated that seamen were obliged to purchase their

* I had given notice.

discharge by no less a sum than 80*l.*, no matter what was the condition of the individual. Now he had to state most positively that this was not the case.* The sum specified might, indeed, be *required from able seamen* who wished for their discharge ; but the sum of 40*l.* only was required from ordinary seamen ; from ordinary seamen transferred to harbour duty, only 30*l.* ; from persons who were originally landmen, not more than 20*l.* And he had to state further that many persons transferred to harbour duty, and considered unfit for service, were discharged without any consideration whatsoever. The noble lord had stated formerly in the House the case of a harbour duty man who had been obliged to pay 80*l.* for his discharge.

“ When the noble lord had thought proper to make that statement, he had answered in his place that he could not take upon him to vouch for the individual case. He had, however, subsequently been at considerable pains to discover the particular case alluded to by the noble lord, and had examined every document in which he thought it could be traced—but in vain—he could find nothing of the kind ; he had then applied to the member for Bedford to procure for him the name of the man from the noble lord, but this had not been done, and he had never had the pleasure of seeing the noble lord since. Now he thought that under such circumstances the noble lord should have abstained from receiving the statement unless he was disposed to give the name of the individual, and thus supply the means of confuting it.

“ Our seamen, said the noble lord, were heartbroken ; they would indeed be heartbroken had they heard his resolutions ; that was provided always, though, he retained so much authority with them, as would impart to his unjust assertions, with respect to them, the power of inflicting pain which they would once unquestionably have possessed. They would be heartbroken if the House passed a resolution which constituted the grossest libel that was ever put forth against them. Formerly, said the noble lord, they were full of vigour and life under a better system ; now they were deprived of every comfort, penned up on board of ships which were rendered prisons to them, and their health injured by defective sustenance.

“ Now he had to state an improvement in the condition of those men whose hardships the noble lord had deplored, which would enable them to form fair conjectures as to the justice of his statement in general. A practice had been adopted within these few years of granting seamen leave of absence on a plan more liberal and better adapted to promote their comfort than any that had been previously thought of. When a ship returned from a foreign station, all the men who had three years’ pay due to them got leave of absence for three months, for the purpose of enabling them to visit their friends ; if the individuals were Scotch or Irish the time was prolonged. This practice was now so well understood, that every ship’s company looked upon it as a matter of right, and he was ready to say that though ill effects had been expected to result from it, the expectation had been found delusive. Several officers had anticipated desertion, others a relaxation of discipline ; but he was happy to have to state, that so far from their expectations being answered, the men returned to their

* The truth of the matter will appear in the second debate.

duty with their minds refreshed—new strung, and better fitted for the toils imposed on them by their duty; and much fewer desertions took place since the adoption of such a system of indulgence than before it. He stated this to show what a tissue of false premises, as well as false inferences, were contained in the resolution of the noble lord.

“The noble lord’s resolution asserted that there was no fair system of promotion in the navy; that everything was conducted upon a principle of corruption. Was, then, the commission of the noble lord himself given him upon such a principle? Did he obtain the red ribbon, which was before him never given to an individual of his rank, through corruption? Was it through corruption that a relative of the noble lord’s had made his way to the top of his profession, and had been appointed governor of Guadaloupe? Was it through corruption that the influence of the noble lord had had considerable weight in effecting the promotion of those persons on whose behalf he had used it? He was aware that an answer to this last question in the affirmative might be grounded upon the assumption that the naval acquaintance of the noble lord were persons of little worth, and such as could owe their promotion to nothing but corruption. But he who well knew the reverse, would not allow him even this miserable refuge. Was the promotion of Captain Duncan the effect of corruption? Were the honours which that gallant officer’s father had obtained the result of corruption? The friends of the noble lord had felt the benefit of his interference, and much was it to be wished that it had been confined to promote their wishes, and through them the interest of the country, and had never been mischievously exercised on such occasions as the present. Did not the noble lord recollect, when he had left his ship, that he had been consulted as to who was the fittest to succeed him, and that his recommendation had been acted upon? If indeed he had never left that ship it would have been well for his own reputation, as it would have been well for the interests of his country. Most heartily did he wish the noble lord had stayed in her to be serviceable to the public instead of coming here to be the reverse. The noble lord loved to deal in generals. He talked loud about corruption, but he wished him to state who paid and who received the wages of corruption.

“He was conscious that he had spoken with much heat, and hoped for the indulgence of the House; but he could not say that he had not meant to reprove, and that with as much severity as he could use, the conduct of the noble lord; that he did not mean to set in as strong a light as possible the futility of those labours for six months’ duration, which had so engrossed the noble lord, that he had been unable to attend his parliamentary duties; and which he now imagined would enable him to call out in triumph to his constituents, ‘Behold, if I have appeared to desert my duty, I have only appeared to do so; I have not spent my time in idleness. Here are the fruits of my industry; here is the operose conclusion of my labours, and the debt you, my constituents, suppose me to have contracted, you now find fully liquidated.’

“Now, I beg the House to recollect that these accusations of the

* For a refutation of this, see chap. vii.

noble lord have not been couched in fleeting and evanescent speech, but have been regularly arranged in a written document, which it is the wish of the noble lord should be studied by every member in the leisure which the cessation of parliamentary duty will allow him. The noble lord, I contend, has taken a very unfair method of conveying his opinion; he would have acted more fairly in making them the subject of a pamphlet. If he had done so, I certainly have not much time for writing, but out of respect for the noble lord, I should certainly have answered him, and I should have been glad of the opportunity of answering him when I could have used freely those terms which he had deserved should be applied to him. I must express my sanguine hope that the house will not, by adopting such motions as those moved by the noble lord, sanction the gross libel which they contain against the navy, against parliament, and against the country. I wish to lay aside all little considerations to suppose that the resolutions are not meant to apply more to the persons now engaged in the management of our naval affairs than their predecessors; but if it be otherwise, still I wish to sink any feeling that might be supposed to arise in my mind in consequence, and to answer the noble lord only as the defender of that gallant body of men who have stood so long forward as our firmest bulwark against the vileness of our foe, and who are well entitled to the warmest feeling of gratitude we can cherish towards them. I hope, therefore, that if the noble lord does dare to push the House to a division, that he will be left in a minority such as will not merely mark their sense, but also their indignation."

The reader will not fail to observe the way in which the resolution was met by the Secretary of the Admiralty, Mr. Croker. In defiance of the fact that the notice required by the regulations of the House *had* been given, Mr. Croker openly accused me of discourtesy for *not having given proper notice!* He then stated that he was "*unprepared*" to meet the resolution; whilst his next words in the same sentence were, that the facts set forth in the resolutions were *positive falsehoods*, "*wholly unfounded in fact!*" This being the mode in which Mr. Croker now chose to meet all unpleasant resolutions relating to the navy when originating with myself, well knowing that *they could neither be contradicted nor controverted!*

In order to show the efficiency of our navy, Mr. Croker then instanced two of our ships, the 'Java' and the 'Macedonian,' both of which were in a high state of discipline; but he did not notice the fact of one of those which had been defeated by the enemy from the inefficient state of their crews and the inadequacy of their equipment, to both which facts numbers of officers now living can testify. I do not know whether I am justified in bringing forward an anecdote which I have heard

from Sir Charles Napier, who had the misfortune to command one of these miserable craft; viz. that expecting shortly to engage a United States frigate which bore down upon him, he sat down and wrote a letter to the Admiralty in case of his capture or death, informing their lordships that his frigate had been lost from inefficiency of her crew and equipment, when, to his surprise, the American sheered off, and he was in no condition to follow. I have no doubt the gallant admiral will repeat the anecdote to any one whom it may interest.

Mr. Croker stated, that so far from the Admiralty demanding 80*l.* for the discharge of a seaman, they only demanded 40*l.*, and sometimes not more than 20*l.* In the course of the debates it will be shown that in some cases the seamen in reality paid 90*l.* The man who made the former statements should not have asserted that mine were *false*. Even the stale trick of "virtuous indignation," the invariable resort of a practised orator when he has nothing better to say, was here out of place, otherwise than to indicate to the partisans of the Government the course to be pursued.

Further, Mr. Croker himself admitted the bad condition of the navy by saying, now that it suited his purpose, "*he had to state an improvement in the condition of the men.*" The instances which he adduced in proof were unfounded in fact or practice, so that my only way to meet Mr. Croker's assertions was of necessity to imitate his example when commenting on mine, viz. to deny them *in toto*.

Mr. Croker's allusion to my own career as an instance of promotion apart from political corruption, was amusing; the inference being that nothing but actual deeds could possibly command promotion! His adducing the case of promotion by the exercise of my influence, was pure invention, the rule of the Admiralty being that *no man, whatever his deserts, should be promoted on my recommendation*. I have before mentioned the instances of Lieutenant Parker, my first lieutenant in the 'Speedy,' and Lieutenant Haswell in the 'Pallas,'* for neither of whom could I obtain promotion till, from my presence in the House of Commons, it was no longer deemed politic to withhold it. Even then, in the case of poor Parker, a mock promotion was given which proved his ruin and that of his family, who were afterwards plunged in the lowest depths of poverty.

* See p. 94.

Claptrap of this nature was considered a sufficient reply to my resolutions, which embraced the whole subject of the abuses of naval administration. The object was to mislead the House, ignorant as it was of facts, and to throw doubt on my statements, though these had been carefully based on the clearest evidence.

The oratorical display of Mr. Croker was met by my excellent colleague Sir Francis Burdett. As no opportunity has occurred in the course of this work whereby the reader may judge of the comprehensive nature of his parliamentary efforts over any to which I could make pretension, I will adduce the speech of the honourable baronet on this occasion.

"SIR FRANCIS BURDETT said that the honourable secretary had indulged in a warmth and severity of animadversion which the occasion by no means justified. His noble friend had asserted much, and the honourable gentleman had *denied* much, and that on a very important subject; *but it remained to be seen who was in error*. He was willing to admit that the late period of the session rendered the motion inexpedient: but he conceived that if his noble friend was induced to withdraw it, he would feel himself in duty bound to bring it forward at an early period of the ensuing session, when, of course, the present strong objections to it would be removed.

"The honourable member had taxed his noble friend with exaggeration, but it was impossible to conceive anything more exaggerated *than the whole of the honourable gentleman's speech*. He had stated his noble friend to have described our seamen as having wholly lost the energy and valour which had once distinguished them. Now, his noble friend had never so described them. He had stated that their spirits were *depressed* by long confinement and various other hardships, but he had never stated that their hearts were subdued, or that when brought into action they did not forget everything, but that they had their own character and the character of their country to support.

"The honourable baronet then proceeded to contend that as it was not denied that in some cases the sum of 80*l.* was taken for the discharge of a seaman, his noble friend's assertion on that head *had not been refuted*, and went on to remark on the impropriety of the harbour-duty men being mixed with convicts ('No, no,' from the Treasury benches). He knew nothing of the matter, and therefore would support the inquiry, because the facts stated were of the last importance, and it ought to be generally known whether they were correct or incorrect. He hoped his noble friend would not withdraw his resolutions without giving notice that he would bring them again under the consideration of the House at an early period of next session.

"LORD COCHRANE replied. He said he was not displeased at the warmth with which his proposition had been met. It certainly would be injurious to no one except to the feelings of certain members of that House. The honourable secretary had met his statements with

individual instances of gallantry. The existence of these he had not denied. But he asserted that the physical power of our seaman was decreasing partly from the length of the war and partly from the system of harbour-duty established in 1803, from which service decayed seamen re-entered the navy. He had heard that the system was about to be changed; and he should be happy to learn from the honourable secretary that such was the fact.

"The honourable secretary had challenged him to show him an instance of a petty officer having purchased his discharge from such service. He would name a William Ford, who had served with him in the '*Impérieuse*,' who had done so; Nelson, his coxswain, and a person of the name of Farley, who had been returned to him and died on board completely worn out in the service. These were facts which he was prepared to prove at the bar, as he was all those which had been denied with so much warmth by the honourable secretary.

"To show further that the crews of British ships of war were unequal to themselves heretofore, he would relate what was the opinion of a person not at all likely to be disaffected to the order of things—he was the son of a bishop, who had taken an American privateer, the crew of which consisted of only 130 men; and he had declared publicly, that *he would rather have them than the whole of his own crew, consisting of 240*. If the honourable secretary doubted this fact, he might inquire, and he would easily verify it. The noble lord had heard that the sailors taken prisoners by the Americans had been found running away into the back settlements; that forty of them had been brought back by force, and that from the manifestations of this propensity the exchange of prisoners had been broken off.

"The lateness of the period at which he had brought forward his resolution had been complained of. He did intend to bring in a bill to limit the term of service, but circumstances had prevented him; but he would carry his intention into effect in the next session. With respect to Parliamentary influence, the honourable secretary had asked whether *he had found it of service to himself in his profession?* He certainly had not, because *he had never prostituted his vote for that purpose; but he knew others who had found that influence of great avail!!* When he again brought forward the subject he should prove all the facts he had adduced, and he hoped so much ignorance of important facts would not then be found to prevail. He had chosen the present form of his motion in order to put his statements on record in a way not susceptible of misrepresentation."

"MR. CROKER replied that the Government had at all times been very watchful over the harbour-duty, but that it had not taken *any new steps* * since the suggestions of the noble lord. He had never heard of any disposition in the seamen, taken by the Americans, to run away to the back settlements; nor of forty men being brought back by force. The exchange of prisoners was broken off in consequence of some wrong done to the British seamen, and not in consequence of any fault of theirs."

The resolution was then negatived without a division.

* He had just said there was a great improvement in the condition of the seamen.

Astonished at the result of the debate, which, by negating my resolutions without a division, amounted to a decision of the House that the naval administration of the country required neither amendment nor even investigation, and that the platitudes of the Secretary of the Admiralty formed a sufficient answer to the subjects sought to be inquired into, it was determined by the few independent members of the House that the subject should be renewed during the present session, notwithstanding that the prorogation of parliament was at hand.

Accordingly, Sir Francis Burdett gave notice of a motion respecting seamen's wages and prize money, this being the form in which the renewed debate, on the 8th of July, took place.

"SIR FRANCIS BURDETT called the attention of the House to the motion, of which he had yesterday given notice, respecting the difficulties which presented themselves to the obtaining by the relatives of deceased seamen and marines the proper information and the means of recovering the wages and prize-money due to them on the ship's books. The bonds required of the clerks in the navy pay-office, to prevent them from giving the necessary information, which might be applied for, were, in his opinion, more calculated to produce fraud and mischief than to be of any real utility. They would, in fact, be subject to become the instruments of collusion between the persons in possession of the means and information, and persons desirous of converting those means to their own fraudulent views and emolument.

"If these bonds were of real benefit, and operated, as it had been represented, to prevent imposition, he would ask, why were they not introduced into other branches of the navy department where the clerks were as well acquainted with the sums respectively due as in the pay-office? He could not discover any satisfactory or solid reason for continuing the practice or confining it to one particular office. It seemed to him that the best mode both of preventing frauds and of giving to the relatives of deceased seamen fair and easy opportunities of ascertaining the amount of what was due to them on the ships' books, would be to publish the names of such seamen and marines every six months in the 'Gazette,' with the sums due to them respectively at the time of their death. He concluded with moving 'That every six calendar months a list be published in the 'Gazette' of the unclaimed wages and prize-money due to deceased seamen and marines upon the books of His Majesty's ships of war, expressing the places where they were born.'"

"MR. CROKER said that the honourable baronet had made no statement to justify the House in agreeing either to the propositions he had advanced in his speech, or to the motion which he had made. He could not perceive any ground stated by the honourable baronet for convincing the House that the practice of which he complained ought to be altered, and a new system introduced. Was it not right that the lower clerks should be prevented from disclosing that information which was in other places *at all times to be had*? Was the Treasurer of the Navy, the Secretary of the Admiralty, or the Comptroller of the

Navy more obscure than any one of the petty clerks who had entered into the bonds of which the noble lord had complained? Was it not their duty to supply the information when duly applied for; and was there any charge preferred, or any case made out, of their having refused to do so?"

This mode of meeting the case showed, beyond a doubt, the justice of the complaint, and the necessity for the acquiescence of the House in the motion of the honourable baronet. Sir Francis complained that bonds were taken of the clerks, subjecting their securities to penalties and themselves to dismissal if they gave information of any matters within their respective departments. Mr. Croker not only admitted but justified this, on the ground that it was the duty of the Secretary of the Admiralty and the Comptroller of the Navy to supply the information "*when duly applied for.*"

Before commencing his attack on me Mr. Croker curtly informed Sir Francis that "if he wished to know what became of the wages and prize-money which remained due to the seamen, he would tell him. It was *carried to the chest at Greenwich.* The interest was employed in paying the pensions of meritorious seamen, and the capital was preserved untouched for the claimants whenever they might appear."

Had this been in reality the case, Mr. Croker would *gladly have proved the fact to the House*, as an answer to my previous motion for all papers relating to Greenwich. In place of so doing, he made it convenient—as has been shown in a former chapter—to stay away from the House during the debate on that motion, which it was "his duty" to meet. After I had quitted the House, he then appeared in his place and said that my statements were without any foundation in fact, though he had not listened to them! and could only have heard them at second-hand from those whose interest it was to misrepresent what I had said. Imagine a Secretary of the Treasury pursuing the same course and adopting the same language in the present day, and the reader will have little difficulty in arriving at the motives or the accuracy of Mr. Croker's imaginary statements, in reply to one who made the navy his *entire study*, and was practically acquainted with everything relating to its administration.

The preceding reply was all that was vouchsafed to the honourable baronet, Mr. Croker converting the subject into a lengthened attack on me, a course which the House permitted without question. As the speech of the Secretary of the Navy

admitted of easy refutation, and as—amongst civilized persons in modern times—it tells far more against himself than against me, Mr. Croker shall enjoy the benefit of it with posterity.

“He was happy to see the noble lord opposite in his place (Lord Cochrane), as he would give him the opportunity of making amends for the mis-statement of which he had been guilty on a former evening. He could now flatly contradict the noble lord’s assertions in point of fact, as he had before contradicted them in point of principle. The first case was that of William Ford. The noble lord had stated that William Ford had paid 80*l.* for his discharge from harbour-duty. He had not paid 80*l.* nor any other sum for his discharge. The fact was directly contrary. William Ford was an able seaman on board the ‘Imperieuse,’ the very ship commanded by, and which exposed the ignorance of, the noble lord. Ford’s wife wrote a letter to him, requesting her husband’s release on providing proper substitutes. It was attended to by the Admiralty, and Ford was discharged, having never been invalided, and having been favoured by those very arrangements on which the noble lord had founded this charge.

“The next case stated by the noble lord was that of J. Milton, his coxswain. The assertion made by the noble lord was, that John Milton, after being invalided for harbour-duty, and a Greenwich pensioner, had also paid 80*l.* for his discharge.

“Now, what would the House think of the veracity of the noble lord when he could prove beyond a possibility of doubt that J. Milton was neither a harbour-duty man nor a Greenwich pensioner? He had also received a letter from J. Milton’s wife requesting the Board to discharge her husband upon the usual provision of substitutes being made. A compliance with the prayer of the letter took place, and her husband was discharged. He surely, after such misrepresentations, would not be thought to go too far in maintaining that the noble lord’s assertions should have little or no weight, since it was so very clearly proved that he was ignorant of what passed in his own ship. John Milton, however, after having been discharged, contrived, through the means of Gawler, whose frauds he himself had detected, to obtain upon a false certificate *a pension of 12*l.* a year from Greenwich.* The fraud was discovered, and the pension was withdrawn.

“But the noble lord did not seem satisfied with exposing his own ignorance, where he had the best opportunities of being informed; he went much farther, he exposed his own faults and condemned himself. The noble lord declared he had discharged sixty men belonging to the ‘Pallas’ in consequence of their incapacity, and risked all the responsibility of the measure at the hazard of a court-martial. If the noble lord did so, he would tell the noble lord he had done that which he ought not to have done—he had falsified the books of the ship entrusted to his honour and care. (Hear, hear.) For the books which he had signed with his own hand contradicted his positive assertion. The fact was, that fifteen men only were discharged from the ‘Pallas’ within the period mentioned by the noble lord; no such entry there appeared; and he could not have exchanged them for supernumeraries, because from these books it was seen that only twenty-nine supernumeraries had been taken on board.”

When I said that Ford had been obliged to pay 80*l.* for his discharge, instead of the representation being false the amount was much *understated*. He had been compelled to find *four substitutes, which cost ninety pounds!* and was then, as a matter of course, discharged without further personal payment. The case of Milton was a matter of veracity between myself and Mr. Croker. I offered to prove to the House that Milton *had paid nearly 100*l.* for substitutes, which Mr. Croker construed into paying nothing*, for his discharge, an offer which Mr. Croker did not accept, though he admitted the substitutes! which had been provided—a fact which he did not attempt to disprove otherwise than by his own perverted statements. As Mr. Croker himself said, “*he had contradicted my main assertion; how did I get rid of that?*” Not anticipating an attack on myself, I had not come to the House prepared with documents, so that the only way in which I could possibly have got rid of Mr. Croker’s “*contradictions*” would have been to imitate his example, viz. to convert myself into a bully for the sake of outbullying him, a resource from which I was, as a gentleman, averse. My reply, presently to be adduced, will, I have no doubt, be sufficiently satisfactory to the reader.

Again, Mr. Croker appealed to the House whether my veracity was to be depended upon, for having stated that Milton was a Greenwich pensioner, and in the same breath himself stated that *he was one!* though through, as he alleged, a false certificate obtained from another man, about which, if true, I could have known nothing except from Admiralty investigations, which were kept secret. All I could have known was, that when Milton’s case was brought under my notice he *was* a Greenwich pensioner, which Mr. Croker, when appealing to the House, not to trust my veracity, confirmed by stating “*that he had a pension of 12*l.* a year from Greenwich!*”

Mr. Croker’s explanation with regard to Farley was even less to his credit. My complaint to the House had been that Farley, a man useless from hard service, had been returned to me on board the ‘*Impérieuse*,’ and that he had died completely worn out. As an instance of my want of veracity, Mr. Croker assured the House that “*he was not invalided for harbour-duty, neither died in the service.*” The fact was, that the man was not invalided at all till within a few days of his death, when, unable to return to his friends, I retained him on board from a motive of humanity after his discharge, and he *died on board the ‘Im-*

périeuse.' Mr. Croker spoke truth when he said he "was not invalided for harbour-duty, and that he did not die in the service;" but he most unwarrantably concealed truth when he suppressed the circumstances under which the man *really died*, which were more disgraceful to the nation than invaliding a worn-out man for harbour-duty.

Unworthy as was this course, it was as nothing compared with what fell from the lips of Mr. Croker in the subsequent portion of his address to the House; in which address he asserted that my resolutions were "gross and scandalous libels against the honour, the valour, and the character of the British navy"—accused me of having traduced the commander of the 'Java' and 'Macedonian,' though the names of either ships or their commanders had never passed my lips, nor were in my thoughts—and wound up by asserting that I had *grossly libelled Captain Broke of the 'Shannon' frigate!!!* though I had never mentioned the name of one or the other in the House, and only regarded them either in or out of the House, with the highest admiration!

As this would be incredible were I not to introduce Mr. Croker's own words, I shall do so without abridgement. 1st, to show the impudence of the falsehood, and 2ndly, as a really clever tribute to the gallant Captain Broke, had it been uttered in common honesty and not to get rid of Sir Francis Burdett's motion; which was thus converted into a pretext of vilifying me in such language as no modern House of Commons would for a moment tolerate.

"Having shown, he trusted, to the satisfaction of the House, the ignorance and unfounded statement of the noble lord, he could not suffer the present opportunity to pass by without also showing that the resolutions lately proposed by his Lordship were gross and scandalous libels against the honour, the valour, and the character of the British navy. The noble lord appeared to be peculiarly and most unseasonably unfortunate both in his mis-statements and libels. It was not necessary for him to tell either the noble lord or the House that he alluded to the gallant action fought by the 'Shannon' frigate with the 'Chesapeake' American frigate. The communication which he was about to make to the House had not been sought for or prepared by him. It had presented itself to him as if from a divinity to confute and confound the noble lord's misrepresentations and libels, and rescue the honour of the British navy from unfounded aspersions, and raise the glory of the British flag still higher than ever. As he was coming to the House the official information of that glorious engagement was put into his hands!! He should not trouble the House at any length with the character of Captain Broke, who commanded the 'Shannon.' It

would be sufficient for him to say that Captain Broke was an officer no less distinguished for his indefatigable activity and unwearied enterprise than for his skill and valour. With many occasions of making and preserving the valuable prizes which must have materially contributed to increase his private fortune, he had uniformly preferred the cause of his country and the good of the service to his own interests. Cases had even occurred, when, although he might have fairly preserved his prizes, he rather chose to send them, with all they contained, to the bottom of the sea than let any opportunity slip in which his exertions and co-operation could be useful in another quarter. The action which he fought with the 'Chesapeake' was in every respect unexampled. It was not—and he knew it was a bold assertion which he made—to be surpassed by any engagement which graced the annals of Great Britain; the enemy's ship was superior in size, superior in weight of metal, superior in numbers. She entered into the contest with the previous conviction of all her superior advantages, and with a confirmed confidence of victory resulting from that conviction. All this superiority served but to heighten the brilliancy of Captain Broke's achievement. What, continued Mr. Croker, will, or rather what can, the noble lord say now? Will he persist in still maintaining that the captures made by the Americans have been caused by the decayed and disheartened state of our seamen, and not by the enemy's superiority in numbers and weight of metal? He begged leave to assure the House, that he had not introduced the account of the glorious victory gained by Captain Broke as a single instance of the success of one of our frigates; but it had come so opportunely to confound the noble lord's statement, and confute his misrepresentations, that he felt he would be doing an act of injustice to our gallant officers and seamen, to the House, and to the country at large were he to pass it over unnoticed, at a moment so peculiarly fitted and seasonable for its introduction. It was not, he knew, the day or the hour which could enhance the value and glory of Captain Broke's great achievement, nor had he any occasion to strengthen by its effects his arguments and statements against the noble lord, for he sincerely believed there could not be any day or hour in the course of the year in which he would not have more than ample means of contradicting and disproving such assertions as the noble lord had made on this occasion. Mr. Croker concluded with observing that he trusted he had shown not only the impropriety, but the danger of adopting the motion proposed by the honourable baronet."

The reader may possibly inquire what this tirade could possibly have to do with Sir Francis Burdett's motion? or with anything that I had said? He may wonder too that the House should have patiently listened for an hour to an imaginary charge against me *for what I had never said!* and the Secretary of the Navy's refutation of a charge *which his own ingenuity had trumped up!* In our day it could not be that gentlemen by birth or education should have endured such claptrap, when its object was to malign one of their own body without a shadow of foun-

dation for the malice displayed. The history of the period, however, so fully details the reasons for all this, that I may be spared the trouble of recapitulating them.

Unpractised in oratorical arts, whether professionally or as the hired advocate of a faction, my reply may appear tame; yet what it lacked in eloquence it made up by facts which had been *contradicted*, because they could not be *impugned*.

“LORD COCHRANE admitted all that could be said of the gallantry of our seamen; but maintained that a great and a rapid decay had been produced in their physical powers by the cause to which he had felt it his duty to call the attention of the House. He was pleased that he had done so in the form of a resolution which could neither be misrepresented or misquoted without detection. It was in the recollection of the House that he had not cast the slightest reflection either on officers or men, collectively or individually, although the honourable secretary had chosen to defend them in both cases. Such a line of conduct might be best calculated to excite a feeling of disapprobation towards him (Lord Cochrane) in the minds of those who had not attended to the subject, but it was not an honourable or a candid mode of proceeding to put *words into his mouth and then argue to refute them*. He had never mentioned the name of Captain Broke or alluded to him in the slightest degree, although the secretary had spared no pains to defend him. Captain Broke had done his duty; his men proved adequate to the task he had imposed upon them; but, if his information was correct, the ‘Shannon’ was the only frigate on the American station in which the captain would have been justified in trusting to the physical strength of his crew.

“The honourable secretary seemed to flatter himself, from the exulting manner in which he had delivered his speech, that he also *refuted* those facts, which he (Lord Cochrane) did state. ‘Ford,’ says he, ‘did not pay 80*l.* for his discharge, or any other sum.’ But does not the honourable secretary know that this man raised *four substitutes*, and that he (W. Ford) could not procure them otherwise than by money? Was not the difficulty of getting seamen such that the Admiralty demanded four men for the discharge of one? Under such circumstances it was obvious that the navy was manned not by the national bounty or the prospect of reward from the service, but out of the funds of those who had long served their country. The noble lord pledged himself to establish at the bar of the House every circumstance stated in the resolutions which he had moved on a former evening. Ford, he repeated, paid 90*l.* for his discharge—a sum equal to all that he could have saved during eighteen years’ service! No man of feeling could justify the continuance of such a practice.

“As to the case of Farley, the honourable secretary assured the House that he was not invalidated for harbour-duty, neither had he died in the service—facts which will not be deemed important when it is known (and it can be proved) that this respectable petty officer, who had been in thirteen general actions, and thirty-two years in the navy,

* He had paid 90*l.* for them, as I had asserted.

was not invalidated until within a few days of his death; and that, unable to return to his friends, he died on board the 'Impériouse.' Ought not seamen to be entitled to their discharge before they are reduced to this state? Can ships be efficient whilst men so debilitated form part of their crews?

"It is impossible. The honourable secretary laid particular emphasis on the case of Milton, as above all the most unfounded of his (Lord Cochrane's) unfounded assertions. He had discovered that Milton had received his pension through Gawler—perhaps this was the easiest way; but he (Lord Cochrane) knew that Milton deserved that pension, having been wounded under his command. He was the first man who boarded the 'Tapaguese' in the river of Bordeaux, when that ship's corvette was captured by the boats of the 'Pallas' alone. This led him to observe that the lieutenant of the 'Pallas,' who executed this service was not promoted by the Admiralty until Sir Samuel Hood's first lieutenant had brought out another sloop, long afterwards, from the same place, with the boats of a whole squadron—nor is it probable that he ever would have obtained the reward of his gallant conduct, unless the Admiralty had felt that the one could not longer be neglected if the other was promoted. So much for impartiality! He pledged himself to prove to the House the literal fact that Milton *had* served seventeen years, and *had paid* nearly 100*l.* for his discharge. Surely such length of service should entitle seamen to some deduction from so oppressive an expense! This was not the case, however; neither was there any period fixed to which they could look forward as the termination of their compulsory confinement.

"He (Lord Cochrane) did not accuse the present Admiralty of originating these abuses; possibly they were even ignorant of their existence. Boards never listen to individuals, and therefore he had adopted the present mode of calling the attention of parliament and of the country to the state of the navy. Could any person have believed that the Admiralty, instead of *decreasing* the sum to be paid by meritorious seamen after long service, actually *increase* the amount? He wished that the present first lord would look into his father's papers, who had it in contemplation to have made many alterations and improvements in naval affairs, with which he was well acquainted. Probably had he remained in office the seamen would probably have had no cause now to lament the continuance of those evils of which he (Lord Cochrane) was desirous to inform the House, with a view that they might investigate the subject.

"Here the noble lord read an extract from a letter he had received that morning from a seaman's wife, the mother of a family, and whose husband was compelled to pay 60*l.* for a discharge, which left their children without bread. She owed 7*l.* to her doctor, who had written to Mr. Croker, stating her extraordinary exertions for her family's support as the cause of her illness. The husband after a long service had but 17*l.* remaining; and he was obliged to go down to Plymouth before he could get his discharge. Was this the situation in which British sailors should be placed? He was in the judgment of the whole navy, and he would prove his facts at the bar. If the honourable secretary had any feelings they ought to wring his breast, and prevent him from daring to defend such abuses. He would not detain the House

longer than to say that the army was now a model on which to form the navy—so much had circumstances changed. Their service was limited, and officers who did gallant acts were rewarded by promotion and brevet. He named Lieutenant Johnson, who served under his command in the Basque Roads, as an instance to prove the unwillingness of the Admiralty to do justice unless by favour."

"MR. CROKER would not permit the noble lord to *lead the House away!* by stating that his material facts had not been *disproved*. He (Mr. Croker) had *contradicted* his main assertions. The noble lord had not got *rid of that*; and if he would give him further opportunities he would give him *an equally satisfactory answer!*

"LORD COCHRANE admitted that the honourable secretary had *contradicted* his assertions, but he defied him to *disprove one word* contained in his resolution. As the feelings of his brother officers might be excited by the statement of the honourable secretary who had stood forward in their defence, though they had not been attacked, he would again add, that he had not even thought disrespectfully of any individual to whom the honourable secretary had alluded. He admired the gallant conduct of Captain Broke, and asserted that if the Admiralty did their duty no 38-gun frigate of ours need shrink from a contest with the Americans.

"LORD COCHRANE repelled with scorn the accusation made against him of endeavouring to excite dissatisfaction in the navy."

The end of Mr. Croker's attack on me was fully answered, viz. that of averting the attention of the House from Sir Francis Burdett's motion, which fell to the ground.

So far I have vindicated myself; I will now appeal to authorities far more reliable than Mr. Croker.

"You may guess my surprise and disappointment on viewing forty-five of the most filthy creatures that ever were embarked, sent as part of our complement."—(*Letter of Lord St. Vincent to Admiral Markham, quoted by Brenton.*)

If such men were sent as part of the complement of the ship of the commander-in-chief, the public may judge of the description furnished to private ships of war. Captain Brenton, when confirming the above opinion of Lord St. Vincent, shall describe them.

"I can vouch for the correctness of the above picture of the men who used to infest our ships. Their personal appearance, in spite of every attention, was most miserable, particularly the importations at Plymouth. I remember being ordered on a survey of *some of them in 1811*; and so truly wretched and unlike men did they appear, that I took portraits of them, which I gave to Captain Nash, of the 'Salvador del Mundo.' *My wonder is that more of our ships were not taken by the Americans in the late struggle, when it is considered how shamefully they were manned!*"!—(*Brenton's St. Vincent*, vol. ii. p. 246.)

Yet for speaking of them in 1813, after our ships were everywhere beaten by the Americans, I was denounced by Mr. Croker

as wanting in veracity! My arguments all pointed to the re-organisation of a noble service, whose cause of failure was solely attributable to a want of proper ships, well-trained men, and an armament capable of contending with a nation which, in this respect, had gone ahead of us.

This is not the place to enter into a description of our disasters in the American war, or it would be easy for me to show their origin in the abuses embodied in my resolutions. Nor is it to be wondered at that seamen who were so ill treated, and who suffered so much in former wars, should have recounted their sufferings to their descendants, now arrived at manhood. Which of them, who could obtain a better livelihood, would be likely, after such a description of the miseries of naval life, to enter on board an English man-of-war? It was no wonder they preferred the American service.

Had Mr. Croker been candid, he would, when speaking of the victory of the 'Shannon,' have adduced the fact, which must have been known to the Admiralty, that one third of the 'Chesapeake's crew were *British seamen*, driven from their own national service by ill-treatment. A man in Captain Broke's frigate found his own brother amongst the enemy's wounded!

I will adduce the following extracts from Brenton.

"Sir Sidney Smith never spared himself. He was ever present in danger, and the last to retreat from it. He was equally gallant and enterprising with his contemporary, Cochrane, but less cautious and less of a sailor. Both these valuable officers were latterly lost to the service, because the Admiralty would not, *when they might have done it*, give them sufficient employment at sea to keep them at work." (p. 461.)

"Vernon owed much of his celebrity to his manly and straightforward dealing in the House of Commons." (p. 347.)

"The services of the gallant Vernon were rewarded by his *being struck out of the list by a weak and wicked government*. Vernon was supposed to have been the author of two pamphlets, reflecting on the conduct of the Admiralty, and the gallant Admiral very shortly afterwards received a letter from Mr. Corbett, the secretary, announcing that His Majesty had been pleased to direct their Lordships to *strike his name off the list of flag officers*." (p. 345.)

"If we would have good and faithful seamen to man our ships, we must give them full and ample remuneration for their services, *with security from want and penury in old age*. I most earnestly pray God that the next parliament may have sense and influence enough to listen to men belonging to our profession who will fearlessly advocate the cause of our sailors."—(Brenton.)

It would not be difficult to multiply these extracts by dozens

from naval writers of this and a subsequent period. These, however, being well known to students of naval history, need not be recapitulated. The following extract from a letter of Lord Collingwood, quoted by Brenton, vol. i. p. 436, embraces the whole subject.

“What day is there that I do not lament the continuance of the war? Nothing good can happen to us short of peace. Every officer and man of the fleet is impatient for release from a situation which daily becomes more irksome to all. I see disgust growing around me very fast.”

The debates in parliament sealed my fate.

It is, however, a remarkable fact, that, notwithstanding my resolutions respecting the navy were thrown out without a division—that everything I advanced for the good of the navy was pooh-poohed—and that every fact I brought forward was flatly denied by Mr. Croker, in his position as Secretary of the Admiralty—the Government secretly proceeded to adopt nearly every one of the *reforms which had been originated and advanced by myself*. Thus instead of *my plans*, my efforts for the removal of naval abuses became *their plans*!

This would certainly never have been known to me, but for the recent publication of the “Diaries and Correspondence of the Right Hon. George Rose,” the Treasurer to the Navy. From this work I will cull a few extracts. Mr. Rose thus writes:—

“I dined at Lord Mulgrave’s with the Board of Admiralty, to discuss some points respecting *my plan* for *ensuring regular adjudication and speedy distribution of the proceeds of prizes*. . . . At the Levee to-day, Mr. Wellesley Pole kissed hands as principal Secretary for Ireland, and Mr. Croker as his successor as Secretary to the Admiralty. *I continue to think that this last appointment, without any impeachment of the gentleman’s character*, VERY MUCH TO BE REGRETTED. (Vol. ii. p. 411.)

Nothing of the kind, Mr. Rose; Mr. Croker was the only man who could be found to contradict my facts, and then induce his superiors to act upon them—to ridicule my plans and then adopt them. So far from being out of his place, he was a necessity, since being thoroughly acquainted with all my plans and aspirations in our days of friendship, he could effectively defeat my efforts in the House of Commons and profit by them in Whitehall. Mr. Rose possibly did not suspect the causes for Mr. Croker’s appointment.

At page 503 of the same work, is an intimation from Mr.

Perceval to Lord Bathurst of "*some future arrangement of the interests of Greenwich Hospital in prize-money*;" the very subject I had for the first time introduced into the House under the disadvantage of not knowing what papers to call for! My motions for the *proper payment of seamen*, though repudiated in the House, were completely successful in the Administration, as is shown by the subjoined correspondence between Lord Melville and Mr. Rose on the subject:—

"Admiralty, September 15, 1814.

"DEAR ROSE,—I do not trouble you with the enclosed from any special consideration of the particular case, but as a specimen of a considerable and increased number which I have of late received. The circumstance may be accidental, and I have little doubt that the several instances may be satisfactorily accounted for. . . . I have no doubt that real neglect does not occur, but it is very desirable that there should not be even the appearance of it. On your return to town, you will probably examine into the subject, with a view to ascertain whether in the inferior branches of the Pay Office, the business is conducted to your satisfaction.

"Believe me, &c. &c.,

"MELVILLE."

The business was not conducted to Mr. Rose's satisfaction, for in his reply to Lord Melville, he says:—

"I gave the most positive orders, accompanied by strong assurances of my severe displeasure if they should not be complied with, for insuring early answers to all applications, and, *finding these ineffectual*, from not knowing on whom individually to fix blame, where there was an appearance of neglect, I divided the alphabet amongst the clerks in the inspection branch, assigning to each certain letters in it, that I might know with whom the responsibility rested, who should not perform his duty. That has been followed up by mulcts and reprimands. At one time I had the whole branch into my room, and stated to them in the most impressive terms, my fixed determination to dismiss the first person against whom a well-founded complaint should be made; on which I had *remonstrances for having disgraced the branch!*

* * * * *

"My servants have general orders, never, under any pressure of business, to refuse admittance to seamen or their relations, or, indeed, to any poor inquiring person. I have sometimes picked up stragglers in the country and maintained them till I could ascertain whether I could be useful to them, *either in getting their prize-money, or obtaining for them admission to Greenwich Hospital!* . . . I have by the aid of a law I brought in, punished *frauds of every description practised upon the seamen*, even in cases where *only larger prices have been exacted than ought to have been paid for articles sold to them.*"

Formidable admissions, truly, despite the virtuous indignation of Mr. Croker on the supposition that anything could be wrong

at the Admiralty. Yet here, after my attempts at remedying abuses, the Treasurer to the Navy testifies to the difficulty of seamen obtaining access to the Admiralty—to their begging about the country in the character of common tramps for want of their prize-money, whilst even the wounded and aged required Mr. Rose's humane intervention to get them a chance of Greenwich Hospital—to the fact that frauds of all kinds were practised upon them—whilst the "*branch which was disgraced,*" by merely being told of its misconduct, was in the habit of charging to the seamen "*larger prices than ought to have been paid for articles sold to them !!*"

I had brought nothing before the House half so bad as this testimony of the treasurer of the Navy. Yet for bringing forward what I did on behalf of the navy, I was, as will presently be seen, hunted on a false accusation into prison, whilst those who marked me down were quietly adopting as their own the reforms I had advocated!!

CHAPTER XXXVIII.

THE STOCK EXCHANGE TRIAL.

Necessity for entering on the subject.—Lord Campbell's opinion respecting it.—Lord Brougham's opinion.—His late Majesty's.—My restoration to rank.—Refusal to investigate my case.—The reasons given.—Extract from Lord Brougham's works.—My first knowledge of De Berenger.—How brought about.—The Stock Exchange hoax.—Rumours implicating me in it.—I return to town in consequence.—My affidavit.—Its nature.—Improbability of my confederacy.—My carelessness of the matter.—De Berenger's denial of my participation.—Remarks thereon.—Significant facts.—Remarks on the alleged hoax common on the Stock Exchange.

I now approach a period of my life in which occurred circumstances beyond all others painful to the feelings of an honourable man. Neglect I was accustomed to. Despite my efforts to rise superior to the jealousies of others, it has followed me through life. Exclusion from professional activity at a period when opportunity for distinction lay before me, was hard to bear; but I had the consolation of exerting myself ashore for the benefit of the noble service, in the active duties of which I was not permitted to participate. But when an alleged offence was laid to my charge in 1814, in which, on the honour of a man now on the brink of the grave, I had not the slightest participation, and from which I never benefited, nor thought to benefit

one farthing, and when this allegation was, by political rancour and legal chicanery, consummated in an unmerited conviction and an outrageous sentence, my heart for the first time sank within me, as conscious of a blow, the effect of which it has required all my energies to sustain. It has been said that truth comes sooner or later. But it seldom comes before the mind, passing from agony to contempt, has grown callous to man's judgment. To this principle, I am thankful to say, I have never subscribed, but have to this hour remained firm in the hope and confidence that by the mercy of God I shall not die till full and ample justice of my fellow-men has been freely rendered me.

It may be thought that after the restoration to rank and honours by my late and present Sovereigns—after promotion to the command of a fleet when I had no enemy to confront—and after enjoyment of the sympathy and friendship of those whom the nation delights to honour,—I might safely pass over that day of deep humiliation. Not so. It is true that I have received those marks of my Sovereign's favour, and it is true, that from that day to the present I have enjoyed the uninterrupted friendship of those who were then convinced, and are still convinced, of my innocence; but *that unjust public sentence has never been publicly reversed, nor the equally unjust fine inflicted on me remitted*; so that if I would, it is not in my power to remain silent and be just to my posterity. The Government of my country has, though often invoked, refused to re-investigate my case, as impossible in form, and from fear of creating a precedent. Nevertheless, I will, repugnant as is the subject, re-state the facts, and, posterity being my judge, have no fear as to the verdict. The coronet of my ancestors, and the honour of my family, which will, in the course of nature, ere long be committed to the keeping of a devoted and sensitively honourable son, demand no less at my hands.

It must not, however, be imagined that the recital of leading facts, is for the first time adopted in pursuance of the dictates of family duty and affection. Neither would it have been possible to write my autobiography without entering on this most important and painful portion of my life, because such an omission would be fatal to my reputation, as it might be construed into an admission of my culpability.

At a period before the experience of the present generation, the circumstances about to be recorded were over and over

again submitted to public judgment, but at a time when the rod of justice was suspended *in terrorem* over the public press, which did not venture openly to espouse my cause on its own merits. Yet even then my efforts were not in vain. The press, instead of being, as in those days it was, the organ of ill-concealed public dissatisfaction, has now become the exponent of the public voice; which, through its medium, is heard and felt throughout the length and breadth of the land. Though approaching the subject with distaste, I do so with confidence that my unvarnished tale will not be told in vain.

For the more ready appreciation of the reader in the present day, as regards facts, the details of which the lapse of half a century has nearly obliterated, I may be permitted to introduce the subject by extracts from the works of two of the most learned and distinguished lawyers and statesmen of the age in which we live—two noblemen, of whose learning, of whose judgment and integrity it is unnecessary for me to say one word, because they are much above my praise, and therefore can receive no addition from it—viz. Lord Brougham, formerly our Lord High Chancellor, and Lord Campbell, the present Lord High Chancellor of England. I will take those of Lord Campbell first, because they embrace points into which Lord Brougham does not enter, and also because Lord Campbell, in addition to the dignity which he now adorns, for many years occupied the same high position as did Lord Ellenborough, when he presided at the trial to which the reader's attention is now directed.

Lord Campbell, at p. 218, vol. iii. in his valuable work entitled “The Lives of the Chief-Justices of England,” says:—

“I have now only to mention some criminal cases which arose before Lord Ellenborough in later years. Of these, the most remarkable was Lord Cochrane's, as this drew upon the Chief-Justice a considerable degree of public obloquy, and, *causing very uneasy reflections in his own mind, was supposed to have hastened his end.*

“Lord Cochrane (since Earl of Dundonald) was one of the most gallant officers in the English navy, and had gained the most brilliant reputation in a succession of naval engagements against the French. Unfortunately for him, he likewise wished to distinguish himself in politics, and taking the Radical line, he was returned to Parliament for the city of Westminster. He was a determined opponent of Lord Liverpool's Administration; and at popular meetings was in the habit of delivering harangues of rather a seditious aspect, which induced Lord Ellenborough to believe that he seriously meant to abet rebellion, and that he was a dangerous character. But the gallant officer was really a loyal subject, as well as enthusiastically zealous for the glory of his country. He had an uncle, named Cochrane, a mer-

chant,* and a very unprincipled man, who, towards the end of the war, in concert with De Berenger, a foreigner, wickedly devised a scheme by which they were to make an immense fortune by a speculation on the Stock Exchange.

"For this purpose they were to cause a sudden rise in the funds, by spreading false intelligence that a preliminary treaty of peace had actually been signed between England and France. Everything succeeded to their wishes; the intelligence was believed, the funds rose, and they sold on time bargains many hundred thousand pounds of 3 per cents. before the truth was discovered.

"It so happened that Lord Cochrane was then in London, was living in his uncle's house,† and was much in his company, but there is now good reason to believe that he was not at all implicated in the nefarious scheme. However, when the fraud was detected,—partly from a belief in his complicity, and partly *from political spite*,—he was included in the indictment preferred for the conspiracy to defraud the Stock Exchange.

"The trial coming on before Lord Ellenborough, the noble and learned Judge, being himself persuaded of the guilt of all the defendants, used his best endeavours that they should all be convicted. He refused to adjourn the trial at the close of the prosecutor's case, about nine in the evening, when the trial had lasted twelve hours, and the jury, as well as the defendants' counsel, were all completely exhausted and all prayed for an adjournment. The following day, in summing up, prompted, no doubt, by the conclusion of his own mind, he laid *special emphasis on every circumstance which might raise a suspicion against Lord Cochrane*, and ELABORATELY EXPLAINED AWAY WHATEVER AT FIRST SIGHT MIGHT SEEM FAVOURABLE to the gallant officer. In consequence the jury found a verdict of GUILTY against *all* the defendants.

"Next term, Lord Cochrane presented himself in Court to move for a new trial, but the other defendants convicted along with him did not attend. He said truly that he had no power or influence to obtain their attendance, and urged that his application was founded on circumstances peculiar to his own case. But Lord Ellenborough would not hear him, because the other defendants were not present. Such a rule had before been laid down,‡ *but it is palpably contrary to the first principles of justice, and ought immediately to have been reversed.*

"Lord Cochrane was thus deprived of all opportunity of showing that the verdict against him was wrong, and in addition to fine and imprisonment, he was sentenced to stand in the pillory.§ Although

* This is an error. My uncle, an East India merchant, was the Hon. Basil Cochrane, a highly honourable man, not the one alluded to by Lord Campbell.

† It was my uncle Basil with whom I for a time resided.

‡ On one special occasion only.

§ This vindictive sentence the Government did not dare carry out. My high-minded colleague, Sir Francis Burdett, told the Government that if the sentence was carried into effect, he would stand in the pillory beside me, when they must look to the consequences. What these might have been, in the then excited state of the public mind, as regarded my treatment, the reader may guess.

as yet he was generally believed to be guilty, the award of this degrading and infamous punishment upon a young nobleman, a member of the House of Commons, and a distinguished naval officer, raised universal sympathy in his favour. The judge was proportionably blamed, not only by the vulgar, but by men of education on both sides in politics, and he found upon entering society and appearing in the House of Lords *that he was looked upon coldly.*

"Having now some misgivings himself as to the propriety of his conduct in this affair, he became very wretched. Nor was the agitation allowed to drop during the remainder of Lord Ellenborough's life, for Lord Cochrane, being expelled the House of Commons, was immediately re-elected for Westminster. Having escaped from the prison in which he was confined under his sentence, he appeared in the House of Commons. In obedience to the public voice, the part of his sentence by which he was to stand in the pillory was remitted by the Crown, and a bill was introduced into Parliament altogether to abolish the pillory as a punishment, on account of the manner in which the power of inflicting it had been recently abused. It was said that these matters preyed deeply on Lord Ellenborough's mind and affected his health. Thenceforth he certainly seemed to have lost the gaiety of heart for which he had been formerly remarkable." (Lord Campbell's "Lives of the Chief-Justices," vol. iii. pp. 218, 219, 220.)

Such are the recorded opinions of one of the most learned and acute men of the age—one who now does honour to the judgment-seat of the highest tribunal of our country; and who, at the time those opinions were given to the world, held the scarcely less dignified position of Chief-Justice of England, sitting in the very court in which that cruel sentence—the unmerited cause of so much misery to me—was pronounced. From such an authority—as much judicial as historic—may the reader form his own conclusions.

It is with no less satisfaction that I add the opinions of another learned and highly-gifted peer of the realm, who has also adorned the dignified office of Lord High Chancellor of England, viz. my friend Lord Brougham, to whose name, as the untiring advocate of everything nationally progressive and socially expansive, no testimony of mine could add weight.

In the year 1844, when I submitted to her Majesty's Government how incomplete I considered the restoration of my honours, I wrote to Lord Brougham, ever my constant and steadfast friend, to ask his opinion of the step I was taking. The subjoined was Lord Brougham's reply:—

"Grafton Street, March 29, 1844.

"MY DEAR LORD D.—I think, upon the whole, the time is favourable.

"I have well considered the matter as of importance, and have read

the papers through. I don't think the best way of bringing the subject before the Duke is to send that correspondence, but rather to make a statement, and I authorise you distinctly to add to it these two important facts.

"First, that William IV. only objected to the Bath being restored *at the same time* with your rank, and not absolutely at all times.

"Secondly, that your counsel were clearly of opinion that the verdict as *concerned you was erroneous*, and I always concluded that you had sacrificed yourself out of delicacy to your uncle, the person really guilty.

"The restoring you to rank without your honours is too absurd and unfair. It means 'we will take all we can get from you in service, and give you nothing.'

"Yours ever truly,

"H. BROUGHAM."

No one knew better than his late Majesty, King William the Fourth, the injustice under which I had laboured, and the causes of the political spite which had been directed against me. Before his Majesty came to the throne he warmly interested himself in my behalf, and intimated to Sir Francis Burdett, that if I were to memorialize the Government, he would use his influence to procure my restoration. This was accordingly done, but in vain, his Royal Highness's influence *then* proving insufficient for the purpose, but not so after his Majesty's accession to the throne.

The following extract of a letter from Sir Francis Burdett, coming shortly before my restoration to rank, will show the continued interest taken by his late Majesty and those near him to remove unmerited obloquy from a brother sailor, notwithstanding the failure of his Majesty's previous effort when Duke Clarence. The same intimation to Sir Francis Burdett being made, a similar memorial was laid before his Majesty in Council; this time with effect.

"MY DEAR LORD DUNDONALD,—I went to the Levee on Wednesday to give your memorial to Greville, the Clerk of the Council, to present—but the King returned to Windsor immediately after the Levee and no council was held. Had it been, I can entertain no doubt that your memorial would have been presented and granted.

"I went to see Greville about it the next day—he was so kind and so desirous of doing everything in his power to expedite it, even proposing to take it out of its usual turn, that I cannot but feel quite satisfied and assured that there will be not a moment's unnecessary delay. A little patience and all will be right. I should like to see you for a day or two, and perhaps may.

"Yours sincerely,

"F. BURDETT."

My restoration not long afterwards followed, and no one knew better than his Majesty the justice of reversing the unjust sentence which had so long and so undeservedly excluded me from a service which from my youth upwards had been my pride.

I shall ever consider this interference on my behalf as a testimonial from his late Majesty not only to my innocence, but also to my unjustifiable persecution, for had he not believed me innocent, his Majesty would have been the last person to interfere so pertinaciously. Still less when, on coming to the throne, his former influence had become authority.

I was not restored to my honours till the reign of her present Most Gracious Majesty, and on this restoration being made, I again requested of her Majesty's ministers a reinvestigation into the causes which led to my unjust conviction, alleging that my restoration to rank and honour might be construed into an act of mercy, were not my innocence of the Stock Exchange hoax fully established. In this sense I addressed the late Duke of Wellington and Sir Robert Peel. The following was his Grace's reply.

"Walmer Castle, Sept. 12, 1844.

"MY LORD,—I have just received the package from your Lordship, containing your Lordship's letter to myself of the 10th inst. and other papers, which I will peruse with attention according to the desire and for the purpose expressed in your Lordship's letter.

"I have the honour to be, &c.

"WELLINGTON.

"Admiral the Earl of Dundonald, &c."

The reply of Sir Robert Peel was more explicit, and gave as a reason why my request could not be complied with, that just, or unjust, it was not, from lapse of time, in the power of the Government to attempt to reverse a decision in a court of law.

"Whitehall, Nov. 7, 1844.

"MY LORD,—Her Majesty's servants have had under their consideration the letter I received from your Lordship, bearing date the 10th of September, 1844, together with the documents by which that letter was accompanied.

"On reference to the proceedings which were adopted in the year 1832,* it appears that previously to the restoration of your Lordship to your rank in the navy a free pardon under the great seal was granted to your Lordship, and, adverting to that circumstance, and to the fact that thirty years have elapsed since the charges to which the free pardon had reference were the subject of investigation before the proper judicial tribunal of the country, Her Majesty's servants cannot

* My restoration to rank.

consistently with their sense of public duty advise the Queen to reopen an inquiry into those charges.

"I beg leave to refer your Lordship to the letter which the Earl of Haddington, the First Lord of the Admiralty, addressed to your Lordship in the year 1842—as I am not enabled to make any communication to your Lordship on the part of Her Majesty's Government differing in purport from that letter.

"I have the honour, &c.,

"ROBERT PEEL.

"Admiral the Earl of Dundonald, &c."

Here was the whole secret why I had never been able to obtain an investigation of my case, and why the Admiralty, which deprived me of rank and honour, declined to investigate it, notwithstanding that an appeal from the verdict had been refused by the Court of King's Bench, though I had then in court such additional evidence as must have set aside the verdict, which evidence will shortly be laid before the reader, who will now be in a condition to understand the following explanation of Lord Brougham, given, under the article "Ellenborough," in his "Historic Sketches of British Statesmen in the time of George the Third."

"On the bench, it is not to be denied that Lord Ellenborough occasionally suffered the strength of his political feelings to break forth and to influence the tone and temper of his observations. That he ever, upon any one occasion, knowingly deviated one hair's breadth in the discharge of his office is wholly untrue. The case which gave rise to the greatest comment, and even led to a senseless show of impeachment was Lord Cochrane's. * * * I must, however, be here distinctly understood to *deny the accuracy of the opinion which Lord Ellenborough appears to have formed in this case, and deeply to lament the verdict of guilty which the jury returned, after three hours' consultation and hesitation.*

"If Lord Cochrane was at all aware of his uncle Mr. Cochrane Johnstone's proceedings, it was the whole extent of his privy to the fact. Having been one of the counsel engaged in the cause I can speak with some confidence respecting it, and I take upon me to assert that Lord Cochrane's conviction was mainly owing to the extreme repugnance which he felt to giving up his uncle, or taking those precautions for his own safety which would have operated against that near relation. Even when he, the real criminal, had confessed his guilt, by taking to flight, and the other defendants were brought up for judgment, we, the counsel, could not persuade Lord Cochrane to shake himself loose from the contamination by abandoning him.

"Our only complaint against Lord Ellenborough was his Lordship's refusal to adjourn after the prosecutor's case closed, and his requiring us to enter upon our defence at so late an hour—past nine o'clock—that the adjournment took place at midnight, and before we called our witnesses. Of course, I speak of the trial at Guildhall only. Lord Ellenborough was equally to blame with his brethren in the

Court of King's Bench for that most cruel and unjustifiable sentence, which at once secured Lord Cochrane's re-election for Westminster when the House of Commons expelled him upon his conviction.

"In 1833, the Government of which I was a member restored this great warrior to his rank of Admiral in our navy. The country, therefore, in the event of hostilities, would now have the inestimable benefit of his services, whom none perhaps ever equalled in heroic courage, and whose fertility of resources, military as well as naval, place him high amongst the very first of commanders. That his honours of knighthood, so gloriously won, should still be withholden is a stain, *not upon him*, but upon the councils of his country; and after his restoration to the service, it is as inconsistent and incomprehensible as cruel and unjust." (Lord Brougham's "Historic Sketches.")

A brief outline of the circumstances which led to the trial will enable the reader to comprehend the grounds upon which the opinions just quoted were based.

At the commencement of 1814 I was appointed by my uncle, Sir Alexander Cochrane, then commanding the British fleet on the North American station, as his flag-captain; and in the month of February was busily engaged in getting the 'Tonnant' line-of-battle ship, then fitting at Chatham as my uncle's flag-ship, ready for sea. The presence of Sir Alexander being imperatively required upon the station, he had previously quitted England in a frigate; and it had been understood between my uncle and myself that, on joining him with the 'Tonnant,' the most efficient measures should be adopted to compensate for our late defeats with the better manned and equipped vessels of the United States.

Previous to my uncle's departure at the latter end of 1813, he had, in pursuance of this object, repeatedly though unsuccessfully applied to the Admiralty for permission to engage an officer in the Duke of Cumberland's regiment of Sharpshooters, as having a reputation not only for skill in teaching rifle practice, but also for his pyrotechnic acquirements, as an engineer officer; this proficiency having become known to Sir Alexander through his brother, who strongly urged the employment of the person alluded to, a Captain De Berenger, with whom Mr. Cochrane Johnstone had been for some time acquainted. It was thus that I was subsequently brought in contact with a man who eventually proved my ruin, by involving me in an appearance of complicity in an attempt to raise the public funds by the dissemination of groundless news to the prejudice of the Stock Exchange speculators, one of those common deceptions

which, I am told, were then, as now, practised by parties connected with the transactions of the Stock Exchange.

In the month of January Mr. Cochrane Johnstone invited De Berenger to a dinner, at which I was present. Towards the close of the evening this person asked me to step aside with him for the purpose of conversation. His object was to request me to take him on board the 'Tonnant' in any capacity, for having failed to obtain the consent of the Admiralty he would be happy to trust to Sir Alexander's generosity to employ him in any situation for which he was qualified. With this view he begged me to peruse his testimonials as adjutant of the Duke of Cumberland's rifle regiment, as well as other documents of a similar character.

Finding the testimonials satisfactory, I expressed my regret at not being able to take him in the 'Tonnant' without an appointment, or at least an order, from the Board of Admiralty; adding, that no person could possibly have less influence with their lordships than myself, and that therefore it was useless for me to apply to them on his behalf, especially as they had refused the application of Sir Alexander Cochrane. Knowing, however, that it was the wish of Sir Alexander that De Berenger should go if possible, I recommended him to exert himself to secure the influence of those under whom he appeared to have served so satisfactorily; adding that, if he succeeded, I should have great pleasure in taking him in the 'Tonnant.'

With these prefatory remarks the reader will readily comprehend what follows:—

About midnight on the 20th of February, according to the current report of the transactions hereafter to be named, a person calling himself Colonel de Bourg, aide-de-camp to Lord Carthcart, presented himself at the Ship Hotel at Dover, representing that he was the bearer of intelligence from Paris, to the effect that Buonaparte had been killed by the Cossacks—that the allied armies were in full march for Paris—and that immediate peace was certain. After this announcement he forwarded similar intelligence by letter to the Port-Admiral at Deal, with a view—as was supposed—of its being forwarded to London by telegraph; thus making the Port-Admiral the medium of communication with the Government.

This person, as was afterwards known to the Stock Exchange only *through my instrumentality*, was the before-named De Berenger. The intelligence was false, having been concocted for the purpose of causing a rise in the public funds.

On the 7th of March, the Committee of the Stock Exchange published an advertisement offering a reward of two hundred and fifty guineas for the discovery of the person who had perpetrated the hoax; a report being at the same time current that the pretended De Bourg had, on the morning of the 21st February, been *traced to my house in Green Street*.

At this time I had joined the 'Tonnant' at Chatham, and was preparing to sail for the North American station, but on learning the injurious report above mentioned, and being aware from the ordinary channels of public intelligence of the nature of the transaction—being moreover indignant that the perpetrator of the deception should have dared to visit me, I determined to denounce him, in order that if he were really the guilty person, his name should be made public at the earliest possible moment, so that no time might be lost in bringing the matter home to him.

In pursuance of this determination I obtained leave of absence from the ship. On my return to town, I found that although the authorities were ignorant of the name of the person who came to my house on the 21st of February, public rumour did not hesitate to impute to me complicity in his transactions, simply from the fact of the suspected person, whoever he might be, having been there.

To rebut these insinuations was of the first importance. Accordingly I immediately consulted my legal advisers.

The result was that an affidavit was prepared and submitted to an eminent barrister, Mr. Gurney, to whom I disclosed every particular relative to the visit of De Berenger, as well as to my own previous, though very unimportant transactions in the public funds. I was advised by him and my own solicitors to confine myself simply to supplying the authorities with the name of De Berenger as the person seen in uniform at my house on the 21st ultimo.

With this suggestion, wisely or unwisely—but certainly in all honesty, I refused to comply, expressing my determination to account *for all my acts* on the 21st of February, even to the entire occupation of my whole time on that day. Finding me firm on this point, the affidavit was settled by Mr. Gurney, the barrister, and sworn to, the name of De Berenger for the first time thus becoming known to those who were in quest of him.

A circumstance may here be mentioned which has an im-

portant bearing on the subject. My letter to the Admiralty, giving my reasons for asking leave of absence for the purpose of rebutting the insinuations against my character, contained most material matter for my exculpation. It was written to Mr. Secretary Croker, but when I afterwards moved for and obtained from the House of Commons an order for the production of my correspondence with the Admiralty, *this letter was not to be found, though all others asked for were!!* Had the letter been produced, it must have had great weight with the House, the adverse decision of which I mainly ascribe to its nonproduction. Unfortunately, in the haste of the application, no copy was taken.

I have been particular in recording dates, because it has been insinuated to my injury that I *had been tardy* in giving the information in my power. It is hence my desire to put on record that *the moment* the necessity for vindicating myself arose not an hour was lost by me in giving the Stock Exchange a clue to the offender, if such De Berenger should turn out to have been.

I will here notice another circumstance, viz. that the very Mr. Gurney who had advised me in the matter of my affidavit, and to whom I had unreservedly communicated every circumstance connected with my private affairs, as well as those connected with the visit of De Berenger, was afterwards chosen by Mr. Lavie, the *solicitor to the committee, as the leading counsel for the Stock Exchange at the subsequent trial against me!* I simply relate the fact, without comment.

It is not necessary here to weary the reader by the insertion of a lengthy affidavit, which accounted for every act of mine on the day of the alleged hoax. The main facts, as relating to the visit of De Berenger, are these. That early on the morning in question I had gone to a lamp manufactory in the city, for the purpose of superintending the progress of some lamps patented by me, and ordered for the use of the convoy of which I was about to take charge on their voyage to North America. Whilst thus engaged, my servant came to me with a note, which had been given to him by a military officer, who was waiting at my house to see me. Not being able to make out the name, from the scrawling style in which the note was written, and supposing it to have come from a messenger from my brother, who was then dangerously ill with the army of the Peninsula, and of whose death we were in daily expectation of hearing, I threw

down the note, and replied, that I would come as soon as possible; and, having completed my arrangements at the lamp manufactory, arrived at home about two hours afterwards, when, to my surprise, I found De Berenger in place of the expected messenger from my brother. The reader may gather from my affidavit what occurred at this interview.

The comprehensiveness of the voluntary disclosure contained in the affidavit has been termed indiscreet, and may have been so, as entering on much that might be deemed unnecessary. But I had nothing to conceal, believing it could in no way affect me—nor would it have done so but for the trickery subsequently resorted to. There was nothing extraordinary in the document. A poor but talented man—a prisoner within the rules of the King's Bench—came to me in the hope that I would extricate him from his difficulties by taking him to America in the 'Tonnant.' After my renewed refusal, on professional grounds, De Berenger represented that he could not return to the Rules in his uniform without exciting suspicion of his absence. The room happened at the time to be strewn with clothes, in process of examination, for the purpose of being sent on board the 'Tonnant,' those rejected being thrown aside; and at his urgent request I lent, or rather gave, him a civilian's hat and coat to enable him to return to his lodgings in ordinary costume. This simple act constituted my offence, and was construed by the Court into complicity in his fraudulent conduct! though under ordinary circumstances, and I was aware of no other, it was simply an act of compassionate good nature.

A very remarkable circumstance connected with this affidavit, and afterwards proved on the trial, was this—that on De Berenger's arrival in town from Dover, he neither went to the Stock Exchange, nor to his employers, whoever they might be, nor did he take any steps on his arrival in town to *spread the false intelligence which he had originated*. He was proved on the trial to have dismissed his post-chaise at Lambeth—to have taken a hackney-coach—and to have proceeded straight to my house. The inference is plain, that the man was frightened at the nature of the mission he had undertaken, and declined to go through with it, preferring to try once more whether he could not prevail on me to take him on board the 'Tonnant,' where he might remain till the ship sailed for North America.

Had I been his confederate, it is not within the bounds of credibility that he would have come in the first instance to my

house, and waited two hours for my return home, in place of carrying out the plot he had undertaken, or that I should have been occupied in perfecting my lamp invention for the use of the convoy of which I was in a few days to take charge, instead of being on *the only spot* where any advantage to be derived from the Stock Exchange hoax could be realized, had I been a participator in it. Such advantage must have been immediate, before the truth came out, and to have reaped it, had I been guilty, it was necessary that I should not lose a moment. It is still more improbable, that being aware of the hoax, I should not have speculated largely for the special risk of that day,

Neither, had I been his confederate, is it more probable that I should have declined to take him on board the 'Tonnant,' when, by so doing, I could have effectually concealed him under another name, together with every trace of the plot, and could have either taken him with me, or have shipped him in safety to the Continent.

I will here repeat what has been previously stated, that before my affidavit the committee of the Stock Exchange was ignorant even of the name of *any* person, that my affidavit alone disclosed the necessary information. In other words, *I voluntarily gave the only information upon which the subsequent trial was based, and this disclosure was so complete as to leave the Stock Exchange nothing to do but to prosecute De Berenger.*

Let me ask the common-sense question, whether this was the act of a guilty person, who by concealing his knowledge could have effectually prevented all further investigation? Or, to put the question in another form—would it not have been the act of an insane person, if guilty, to have denounced another to his own conviction, when by holding his peace both would have been safe from detection? To have done such an uncalled-for act, would have been little in accordance with the *acumen* for which the public had for many years given me credit. In one respect, my affidavit might have been an error, but it was not the *error of a guilty man*; viz. in not deferring to the opinion of my legal advisers, who wished me to confine myself to the single fact that the pretended Du Bourg had been traced to my house, and that I suspected De Berenger to be the person.

My fault was, that being conscious—till too late—that nothing in the whole affair could in any way concern me—I was careless about my defence—had nothing to do with the brief beyond a few rough notes—and never even read it after it

was finally prepared for counsel. This was not the act of a guilty man. Yet, had I been guilty, I should have had every chance in my favour of acquittal; first, by concealing the fact that De Berenger was the stranger who came to my house on the 21st of February, in military uniform—and, without this voluntary information on my part, the case must have disappeared; secondly, had I really been guilty, my chance of acquittal would have been greater than if innocent—because the knowledge of facts which I must have possessed if guilty, and *could not have possessed* if innocent, would have enabled me to make an effectual defence in place of the aimless defence which was made.

If proof of my non-participation in the hoax were required, it existed, so far as the statement of such a person was credible, in the handwriting of De Berenger himself, immediately after my affidavit disclosing his name in furtherance of the purposes of justice; a proceeding on my part which might naturally be supposed to embitter him against me. So far from this being the case, an innate sense of justice on the part of De Berenger led him to admit even the truth of the declaration contained in the affidavit as regarded himself.

“13, Green Street, April 27, 1814.

“SIR,—Having, I trust, given ample time and opportunity to those who have endeavoured to asperse my character to learn from your own mouth the circumstances which induced you to call upon me on the 21st of February last, I feel it now due to myself no longer to delay this my earnest request, that you will afford me that explanation.

“I am, Sir, your obedient Servant,
(Signed) “COCHRANE.

“Baron de Berenger.”

[De Berenger to Lord Cochrane :—]

“King Street, Westminster, April 27, 1814.

“MY LORD,—I have the honour of acknowledging the receipt of your Lordship's favour, which has this moment been delivered.

“Rest assured, my Lord, that nothing could exceed the pain I felt when I perceived how cruelly, how unfairly my unfortunate visit of the 21st of February was interpreted (*which, with its object, is so correctly detailed in your affidavit*); but my agony is augmented, when I reflect that acts of generosity and goodness towards an unfortunate man have been, and continue to be, the accidental cause of much mortification to you: a fear of increasing the imaginary grounds of accusation caused me to refrain from addressing you.

“I have the honour, &c.,

“CHAS. RANDOM DE BERENGER.”

The tone of this letter, which, without answering in express terms my query as to the object of his visit on the 21st of February, declares the truth of my affidavit as to the same, and also to what occurred during the short time he remained there.

This indisposed me for further communication with the writer, who, finding such to be the case, commenced a series of vituperative epistles, the object of which was evidently the extortion of money. The whole of these letters were transmitted by me to the public press, without reply or comment, and were so published at the time.

A no less important admission emanated from De Berenger. The press had by some means or other got hold of the fact that this man, whom I had denounced to the Stock Exchange, was *in communication with certain members of the Government for the purpose of implicating me!* The communication does not appear to have resulted in anything further than was known from my affidavit, and I have reason to know that from fear of the man's character, the Government abstained from committing themselves with him.

“King's Bench, July 19, 1814.

“Whereas several newspapers have asserted that I have written to Lord Sidmouth, whilst others state that I have addressed the committee of the Stock Exchange, &c., disclosing particulars to prove Lord Cochrane's guilt, I feel justified thus solemnly, publicly, and positively to declare, That *since my confinement here*, I have neither written, or otherwise applied, directly or indirectly, to any of the offices of Government for the purpose of disclosure. That I have not written to any one on the subject of the 21st of February last, *since the 11th instant* (July), excepting one private letter to Lord Cochrane. That the assertions in the newspapers are totally false, &c. &c.

“CHARLES RANDOM DE BERENGER.”

The plain inference is, that De Berenger did so *before the trial*, and whilst he was writing to me that the contents of my affidavit, as regarded himself, contained the exact truth. That he had such communication with both Government and Stock Exchange, before the trial, is beyond doubt, and part of the reasons which warrant my assertion, that a higher authority than the Stock Exchange was at the bottom of my prosecution. Deeply degraded as was the man, he affords the strongest *presumptive* evidence of my non-participation in the hoax. In the next chapter I trust to adduce such *positive* evidence as shall place the matter beyond doubt.

I do not blame the judge for not taking these matters into account, for, confident in my entire innocence, I could not see their importance or bearing, and did not even communicate them to my solicitor till too late.

Bitter after-knowledge has however convinced me of the error of carelessness—even from a consciousness of innocence—when once entangled in the meshes of law—a word by no means synonymous with justice.

Of the subject of the prosecution itself, I will here say one word. It was that of one set of stock-jobbers and their confederates trying—by means of false intelligence—to raise the price of “*time bargains*” at the expense of another set of stock-jobbers, the losers being naturally indignant at the successful hoax. The wrong was not then, and still is not, on the statute-book. Such a case had never been tried before, nor has it since—and was termed a “conspiracy;” or rather, by charging the several defendants—of most of whom I had never before heard—in one indictment, it was brought under the designation of a “conspiracy.” The “conspiracy”—such as it was—was nevertheless one, which, as competent persons inform me, has been the practice in all countries ever since stock-jobbing began, and is in the present day constantly practised, but I have never heard mention of the energy of the Stock Exchange even to detect the practice.

I do not make these remarks to palliate deception, even at the expense of Stock Exchange speculators. My object is, that the present generation, knowing that in my early life I was imprisoned and fined 1000*l.* for an alleged offence against the Stock Exchange fraternity, may understand the exact character of the accusation. It is clear that the influence and vindictiveness with which this most unjustifiable prosecution was carried out as against me, arose from motives far deeper than the vindication of stock-jobbing purity, viz. from a desire in more influential quarters to silence, if possible, an obnoxious political adversary; the visit of De Berenger to my house, as disclosed by myself, and his acquaintance with my uncle as before stated, affording a basis for the accomplishment of this object.

Happily, Providence has implanted in the breast of man an amount of moral and physical energy proportioned to the wrongs and inflictions he may be called upon to bear, and, even in my eighty-fifth year, I am still left sound in mind, and with a heart unbroken, to tell my own story.

CHAPTER XXXIX.

Admiralty influence against me.—Appointment of Mr. Lavie as prosecutor.—The trial.—Crane, the hackney coachman.—Indecision of his evidence.—Lord Ellenborough's charge, and unjustifiable assumptions.—Report of the trial falsified ; or, rather, made up for the occasion.—Evidence, how got up.—Proved to be positive perjury.—This confirmed by subsequent affidavits of respectable tradesmen.—Another charge in store for me, had not this succeeded.—The chief witness's conviction.—His subsequent transportation and liberation.—Affidavits of my servants, Thomas Dewman, Mary Turpin, and Sarah Bust.—My second affidavit.—Appeal from my conviction refused.—Expulsion from the House.—Minority in my favour.

HAD I been aware of a very curious coincidence connected with the trial which followed, my confidence, arising from consciousness of innocence, would have vanished in an instant ; so that instead of indifference about the result, I should have seen the necessity of meeting every accusation with the most deliberate caution, supporting the same by every attainable evidence, in place of no evidence at all.

The fact alluded to is this—that the same Mr. Lavie who had displayed so much tact on Lord Gambier's court-martial *was selected as solicitor to the prosecution in the present case*, to the exclusion of the appointed solicitor to the Committee of the Stock Exchange ! The fact was significant, as affording additional suspicion that an influence other and higher than that of the Committee was at work.

As in various publications connected with Lord Gambier's trial I had spoken very freely of Mr. Lavie as regarded the fabricated charts, exposed in another part of this work, there could be no doubt of his not unreasonable personable animosity towards myself. But when, *after the trial*, I became for the first time aware that he had been employed to conduct it, the enigma was solved as to how I, from having voluntarily given the only information upon which the case could have originated at all, came to be mixed up in one common accusation with a number of persons, of most of whose very names I had never before heard.

More than this, it then became but too apparent that from the selection of Mr. Lavie as prosecuting attorney, I was not so much the subject of a Stock Exchange prosecution as of the political vindictiveness of which I have spoken, and which had

gone out of the usual course to secure his services. That there was collusion between a high official at the Admiralty and the Committee of the Stock Exchange on this point, I do not hesitate for one moment to assert; nor do I think, from previous revelations in this work, that many of my readers will be inclined to differ with me.

I will not, however, dwell upon this matter. Whoever selected Mr. Lavie had a perfect right so to do, as Mr. Lavie had to accept the conduct of the case; the result of which is attributable to my being so satisfied of my own innocence as to decide that an accusation which so little concerned me ought not to take me from the more important duties in which I was employed. Had I been aware at the time of Mr. Lavie's appointment, I should have known its meaning, and prepared accordingly.

The principal circumstance which was held to have implicated me in the hoax practised on the Stock Exchange was this:—That (as gathered from my own voluntary information) De Berenger came to my house on the 21st February; but that instead of being dressed in a green uniform, as set forth in my affidavit, he was in scarlet uniform, that being the alleged costume in which he had disseminated the false intelligence at Dover. If this point could be proved, it was inferred that I must have had a motive in wrongly describing the uniform in my affidavit, and that motive could be none other than my own knowledge of the hoax which had been perpetrated. How this inference was arrived at will appear in the sequel.

The main question relied on by the prosecution related to the colour of De Berenger's coat, whether *scarlet* or *green*: the point held by the court being, that if *scarlet*, I must have made a false declaration in my affidavit as to its colour, and therefore must have at least known how De Berenger had been engaged. A *non sequitur* truly, but nevertheless the one relied on for my conviction as one of the conspirators.

The evidence was this—that when De Berenger arrived from Dover at the Marsh Gate, Lambeth, he exchanged the post-chaise in which he had been travelling for a hackney coach, in which he drove to my house,—which was true enough. The waterman on the stand was called as the first link in the chain; but as he said “he did not see that he could recollect De Berenger, having only seen him for half a minute,” (*Report*, p. 120, this evidence is not worth commenting on, unless to remark

that, failing to recognize De Berenger in court, the extraordinary course was taken of pointing him out, and then asking the witness if "he *thought* he *was like* the man who got into the coach?" The reply was, "he *thought* he was, but he only saw him for half a minute."—(*Ibid.*)

The next witness brought forward was a man named Crane—the hackney coachman who drove De Berenger. In his examination, Crane did not say a word about the colour of De Berenger's coat, but in his cross-examination swore that he had on a "red coat underneath his greatcoat." (*Report*, p. 124.) At the same time he stated that De Berenger had with him "*a portmanteau big enough to wrap a coat in.*" Other witnesses proved that he had drawn down the sun-blinds in the vehicle, so that he had abundant opportunity to exchange his red coat in which he appeared at Dover, for the green sharpshooter's uniform, and this no doubt he had done. The person of whom the red uniform had been purchased also deposed, that he had carried it away from his shop in a portmanteau, so that there was no doubt of the capacity of the latter to contain the coat. In short, he left London in the uniform of the rifles, and put on the scarlet uniform at Dover, to assume the pretended rank of a staff officer. On his return to London he in like manner, no doubt, changed his uniform by the way.

It has been shown that the waterman who opened the coach-door for De Berenger refused to identify him, but swore that the person alluded to had a red coat beneath his military coat. It is also remarkable that the hackney coachman, Crane, could not be got to identify him, though, like the waterman, he swore to the red coat. The subjoined is Crane's evidence on the subject :—

MR. ADOLPHUS.—"Have you seen that person since that you drove that morning?"

CRANE.—"Yes; I saw him in King Street, Westminster." (At the messenger's house, where Crane was taken by Mr. Lavie for the purpose of being identified by this witness.)

MR. ADOLPHUS.—"Do you see him in court?"

CRANE.—"I *think* this is the gentleman here."

MR. ADOLPHUS.—"Were you of the same opinion when you saw him in King Street?"

CRANE.—"When I came down stairs he looked very hard at me."

MR. ADOLPHUS.—"Did you know him then?"

CRANE.—"Yes: it was *something of the same appearance*, but he had altered himself very much by his dress."

MR. RICHARDSON.—"He was pointed out there as being the person in custody?"

CRANE.—“No : I walked down stairs, and met the gentleman coming up stairs.”

MR. RICHARDSON.—“You thought you saw a resemblance?”

CRANE.—“Yes, I thought he was *something like* the same gentleman that I had carried.”

MR. RICHARDSON.—“You do not pretend to recollect every person you carry in your hackney coach every day?”

CRANE.—“No, but this gentleman that I took from a post chaise and four : when he got out at Green Street, I saw that he had a red coat underneath his greatcoat.”

Thus, neither the waterman nor the hackney coachman would swear to *the man*, but to a red coat only. I have no hesitation in saying, that in a court of justice in the present day no weight whatever would have been attached to such evidence. I will, however, assume that the evidence was such as to carry weight, and that it was in every respect unexceptionable, because I shall shortly come to the reason why they swore to the coat, but not to the man who wore it.

The case against me then stood thus. *One* witness (the waterman), but no more, swore to the under coat of a person whom he had seen step from one vehicle into another ; and *one* witness, but no more (the hackney coachman), swore to the person whom he brought to my house, as having on a red coat beneath his military coat, but would not swear positively to the wearer. It was, however, to support this extraordinary evidence that my voluntary declaration in my affidavit, of lending De Berenger an old hat and coat, because he alleged that he could not return to his lodgings in the King's Bench in uniform, without exciting suspicion of his absence from the Rules, and thus endangering his securities—was charged against me as involving confederacy.

On the evidence here adduced—and there was not a tittle beyond it, on the subject of the coat—the point was held by Lord Ellenborough to be established that De Berenger stripped off the red coat in my house ! and as it was afterwards found in the river, his lordship charged the jury in a way which bore the construction of my having been also a participator in *that act*, though there was not a particle of evidence on the trial which could give even a shadow of such a conclusion, nor was there even a pretence on the part of the prosecution that such was the case. His lordship's address to the jury on this head is amongst the most remarkable that ever fell from the lips of an English judge.

"Now, gentlemen, he (*De Berenger*) is brought to the house of Lord Cochrane; *further evidence afterwards arises upon the subject of his being there.* We will at present follow the dress to its conclusion. George Odell, a fisherman, says, 'In the month of March, just above Old Swan Stairs, off against the Iron Wharfs, when I was dredging for coals, I picked up a bundle which was tied with either a piece of chimney line or window line in the cover of a chair bottom; there were two slips of a coat, embroidery, a star and a piece of silver with two figures upon it; it had been sunk with three pieces of lead and some bits of coal; I gave that which I found to Mr. Wade, the Secretary of the Stock Exchange; it was picked up on the Wednesday, and carried there on the Saturday. I picked this up on the 24th of March.' *You have before had the animal hunted home, and now you have his skin,* found, and produced as it was taken out of the river, cut to pieces; the sinking it could have been with no other view than that of suppressing *this piece of evidence*, and preventing the discovery which it might otherwise occasion; this makes it the more material to attend to *the stripping off the clothes which took place in Lord Cochrane's house.*"—(*Report*, p. 478.)

That this was unwarrantable assumption, based on no evidence whatever, of *De Berenger's* stripping off his clothes at my house, could have anything to do with a coat found in the river, was positively absurd, and was not supported by a particle of evidence. Besides which, I had some reputation for shrewdness, and should not have been likely to tie up the coat "in an old chair cover, with three pieces of lead and some lumps of coal!" when the winter's fire in my grate would in five minutes have destroyed the coat and its evidence together, had it been "stripped off" in my house, or had I been a party to its destruction. The position in which the coat was found, showed where it came from, viz. from the Southwark side of the river, where *De Berenger's* lodgings were.

The judge thus proceeded:—

"*De Berenger* must have had that dress with him, whatever it was in which he had come in the coach, and *it does not appear that he had any means of shifting himself.* If he had on an aide-de-camp's uniform with a star, and so presented himself to Lord C., how could Lord C. reconcile it to the duties he owed to society, to government, and to his character as a gentleman, to give him the means of exchanging it? It must be put on for some dishonest purpose.

"It is for you, gentlemen, to say whether it is possible he should not know that a man coming so disguised and so habited,—*if he appeared before him so habited*,—came upon some dishonest errand, and whether it is to be conceived a person should so present himself to a person who did not know what that dishonest errand was, and that it was the very dishonest errand upon which he had so recently been engaged, and which he is found to be executing in the spreading of false intelligence for the purpose of elevating the funds. If he actually

appeared to Lord Cochrane stripped of his coat, and with that red coat and aide-de-camp's uniform, star and order, which have been represented to you, he appeared before him rather in the habit of a mountebank than in his proper uniform of a sharpshooter. This seems wholly inconsistent with the conduct of an innocent and honest man; for if he appeared in such an habit, he must have appeared to any rational person fully blazoned in the costume of that or some other crime,"—(*Report*, pp. 484, 485, 486.)

The preceding quotations from his lordship's address to the jury are taken from the "*revised*" report of the trial. They will appear still more extraordinary as quoted from the report of the *Times* newspaper, taken *verbatim* at the time. Of this no one acquainted even with ordinary newspaper reports will doubt the accuracy, and after having perused it, there will be as little doubt but that the "*revised*" report was subsequently altered from what really occurred in court.

The subjoined is the *Times* report of the judge's speech:—

"*Having hunted down the game*, the prosecutors showed *what became of his skin*, and it was a very material *fact* that the defendant De Berenger *stripped himself at Lord Cochrane's*. HE PULLED HIS SCARLET UNIFORM OFF THERE, and if the circumstance of its not being green did not excite Lord Cochrane's suspicion, what did he think of the star and medal? It became him, on discovering these, as an officer and a gentleman, to communicate his suspicions of these circumstances. Did he not ask De Berenger where he had been in this masquerade dress? It was for the jury to say whether Lord Cochrane did not know where he had been. This was not the dress of a sharpshooter, but of a mountebank. HE CAME BEFORE LORD COCHRANE FULLY BLAZONED IN THE COSTUME OF HIS CRIME!!'

The reader will not fail to perceive that in the *Times* *verbatim* report, which is no doubt correct, the court in every sentence affirms my *positive guilt*. In the "*revised*" report, his lordship is made to go throughout on the hypothetical "*if*," whilst in the revised report of the trial,—which revised report, I affirm, was made up for the occasion,—I am represented to have been treated with all proper fairness! Every evil which followed afterwards was inflicted on the strength of this revised report, and not on the actual transactions at the trial, as reported in the daily papers.

This "*revised*" report was, indeed, a very serious matter for me. From the reports in the daily papers, which were unquestionably accurate, the public mind was in a state of great ferment at the unfairness of the trial as regarded myself, and therefore the prosecution got up the "*revised*" report. On its

appearance, the Attorney-General said in the House of Commons (July 20th), "He was glad the period had arrived when the trial could be read at length, and thus *do away the effect of those imperfect statements* (the reports of the daily papers) which *misled the public mind.*" The Solicitor-General, on the same date, went farther, and accused me of having in my defence *misrepresented and misquoted the judge*, because I had quoted the reports of the daily papers, not having in fact any other to quote. On the testimony of that "revised" report further investigation was declined by the Admiralty, and I was dismissed from the naval service.

On the strength of Crane's evidence, the court had held that "*De Berenger appeared before me blazoned in the costume of his crime—that he pulled off his scarlet uniform in my presence—and that if the circumstance of its not being green did not excite my suspicion, what did I think of the star and medal?*" It is certain, that, even in the "revised" report of the trial, these unqualified assertions, which, put as they were to the jury, were sufficient for my conviction, *are not supported by one particle of evidence!*

But more has yet to be said of Crane's evidence, which led to these expressions on the part of the judge. It will admit of little doubt that a man who would swear to the colour of a coat, and would not swear positively (by the "revised" report) to the identity of the person who wore it, must have had cogent reasons for a course so extraordinary.

I will now adduce those reasons:—

It has been stated, that, conscious of my innocence, I took no personal steps for my defence, beyond forwarding a general statement of a few lines to my solicitors, that I never even read the completed brief which they drew up for the guidance of my counsel, nor was I present in court to suggest questions in cross-examination. After my conviction, however, it became necessary to seek additional evidence to support an appeal from the conviction, or an application for a new trial as against myself.

Lord Ellenborough refused the application, *because all the persons tried were not present to concur in it*, though the law gave me no power to compel their attendance. The evidence on which it was grounded, however, is none the less conclusive because Lord Ellenborough and his colleagues declined to receive it, or even *to hear it!!* but in place of so doing, at once delivered their outrageous sentence against me.

This appeal was grounded on the evidence of several respectable tradesmen, residing in the neighbourhood of Crane, the hackney coachman; they voluntarily and unsolicited by me, but as an act of public justice, going before the Lord Mayor, and making the affidavits from which the subjoined extracts are taken. Not one of these tradesmen was even known to me or my solicitors :—

JAMES MILLER, butcher, of Marsh Gate, Lambeth, made affidavit that he saw De Berenger “get out the chaise into a hackney coach—that he was *dressed in green*, with a grey greatcoat, and that *there was no red on any part of his dress.*”

JOSEPH RAIMENT, fishmonger, Westminster Bridge Road, made affidavit that he saw De Berenger “get out of the chaise into the hackney coach—that his greatcoat was partly open, and that *the under dress was dark green, like that of the sharpshooters.*”

CHARLES KING, stable-keeper, Westminster Bridge Road, made affidavit that he met William Crane accidentally, and asked him what he had been doing with Sayer? * He answered, that “he had been to see De Berenger, in order to identify him, but *he could not swear to him, as many faces were alike.*” But he said, using a protestation in the most horrible language, too gross to repeat—“he would have a hackney coach out of them,” meaning, as deponent believed, the prosecutors. During this conversation, a person passed dressed in a grey greatcoat, which Crane said was just like De Berenger’s, and that he (Crane) did not see De Berenger’s under-dress, *as his coat was closely buttoned up.*

“Deponent further saith, that after the trial he saw Crane’s father, who told him that ‘he was *going after the money*’ (meaning the reward), adding that ‘*his son was considered a first-rate witness!*’ On this deponent asked Crane the elder ‘how he could consider his son in that light, as he knew very well that had he (deponent) been examined, he must have *beat him out of Court.*’ To this Crane’s father replied, ‘that if he had appeared, there was the place where the clothes were bought, and the post-boy.’ On deponent being severe in his remarks, the father said, ‘I don’t know what they did with the boy, *they had him two days locked up in the police officer’s house, that he might not be tampered with.*’ † Deponent asked him if there had been any advances by the opposite party. He said, ‘None.’

“Deponent further saith, that he has seen William Crane since the trial, and on deponent accusing him of going too far with his evidence, he said, ‘*he would swear black was white, or anything else if he was paid for it!*’

“Deponent further saith, that before the trial, the said William Crane’s coach and horses *were of a most miserable description, but that since the trial he has purchased a hackney coach and horses of the best description!*

* A messenger of the Court.

† The post-boy admitted on the trial that he had several previous examinations, and that he *received 52l. for his evidence!*

character is most infamous, and his mode of expressing himself so obscene and blasphemous as to preclude deponent from stating the exact words made use of by the said William Crane. This deponent further saith, that Mr. Keir, and the groom of Colonel Taylor, were present when Crane said that '*he would swear black was white, or anything else, if he was well paid for it.*'

RICHARD BALDWIN, servant to Mr. Keir, made affidavit "that, on the 2nd of July, he was present at a conversation between Charles King and William Crane, when he heard Crane, in reply to King, who had accused him of having gone too far in his evidence, say that '*he would be damned if he would not swear black was white, or anything else, if any one would pay for it.*'"

THOMAS CRITCHFIELD, Westminster Bridge Road, coachmaker, made affidavit "that he knew William Crane, and that he heard him say, previously to the said trial, when speaking of his father, that '*he did not care a damn for his father, that he was twenty-one years of age, and should soon have more money than ever his father had.*'"

"Deponent further said, that since the trial the said William Crane has been enabled to purchase a very good hackney coach, with horses and harness, though previous to the trial his coach and horses were of the most miserable description. Deponent lastly saith, that the said William Crane is a man of the most infamous character, and this deponent positively declares that he would not believe him on his oath."

JAMES YEOWELL, of Silver Street, Falcon Square, ticket porter, made affidavit "that a few days after the 21st of February, William Crane told him that the person whom he took from a post-chaise and four at the Marsh Gate, was NO OTHER THAN LORD COCHRANE HIMSELF! that he knew Lord Cochrane as well as he knew him (deponent). That he had driven Lord Cochrane from the Opera House, and other places of amusement twenty times, and described Lord Cochrane as a tall man, with a long face and red whiskers.

"Deponent further saith, that after the trial he (deponent) accused the said William Crane of perjury, in having sworn to De Berenger as the man taken up by him at the Marsh Gate, whereas he had previously declared before the Stock Exchange Committee that LORD COCHRANE WAS THE PERSON! Whereupon Crane refused to converse with him further on the subject.

"This deponent further saith, that having on the same day again met William Crane, he inquired if he had received the reward offered by the Stock Exchange Committee, when he, the said William Crane, admitted that *he had received a part, and expected more.*"

JAMES LOVEMORE, of Clement's Lane, made affidavit "that he heard the said James Yeowell interrogate William Crane as to the person of Lord Cochrane, and that Crane said that he knew Lord Cochrane as well as he did him (Yeowell), and that he had driven Lord Cochrane from the Opera House and other places of amusement, *twenty times*; and Crane further declared that *it was Lord Cochrane* whom he drove from the post-chaise and four at the Marsh Gate, Lambeth, and described his Lordship as a tall man with a long face and red whiskers."

Such was a portion only of the facts which I was prepared with in my appeal to Lord Ellenborough and his colleagues.

But, as before said, the same judge refused to listen to the appeal, not on the ground of my having no evidence to rebut the perjury of Crane, but because *all the persons convicted were not present in court to join in the appeal*. It was the rule of court, which I had no power to alter, though, as has been seen in a recent chapter, Lord Campbell, in his "Lives of the Chief Justices," states, that such a case had *only been ruled once, and that in this case it ought to have been overruled*.

In the two affidavits last adduced there is abundant proof that if the resource of the *red coat* had not been adopted, Crane was prepared to swear that *it was I whom he had driven from the Marsh Gate to my own house!* the conclusion being that I was the pretended De Berenger. Crane evidently knew my personal appearance, as did most persons in London, and said, further, that he knew me from having driven me *twenty times to the Opera*; the fact being that I was never at the Opera but twice in my life, and once in the vestibule, when I was refused admittance from not being in full evening dress, the deficiency consisting in wearing white pantaloons on a very hot day.

It should be remembered, that Crane stated this before the Committee of the Stock Exchange soon after the 21st of February, i. e., before I had given the clue to De Berenger in my affidavit as the person who visited my house on the morning of that day. After I had thus disclosed the name of De Berenger, the project of proving by the perjury of Crane that *I was the pretended De Bourg*, was given up by the prosecution,—from the dissimilarity of his personal appearance to mine; and then—but not till then—was the equally atrocious perjury of the *red coat* resorted to.

Upon the evidence of such a man as Crane was I convicted, and refused an appeal from the conviction, or a new trial because the defendants to the indictment were not all in court!! It was "*a rule of court*," which, as Lord Campbell says, ought to have been in my case overruled, but Lord Ellenborough refused to hear a word of the abundant evidence *then in my hand* and available for my exculpation. Crane's evidence that De Berenger had on a red coat was relied on, but the far more reliable evidence that the coat was "*green*," as I had stated, was repudiated. Crane had boasted that "*he would swear black was white, if well paid for it*"—and I held in my hand the most reliable evidence that from the money he had been paid for his perjury, he had bought "*a new coach, horses, and harness*." None of these

circumstances were allowed to be received in court, or even listened to, because all the persons included in the indictment were not present, though, as Lord Campbell has well said, the rule of court in my case ought, under the peculiar circumstances, to have been overruled.

A few more particulars relative to this *convict*, Crane—for such was his subsequent fate,—are necessary to enable the reader to judge of my prosecution and those who selected this man as their chief witness.

Not long after the trial, the solicitor of Mr. Cochrane Johnstone wrote me to the following effect relative to a discovery made when too late as to Crane's character:—

“This fellow has lately been prosecuted by Mr. Dawson before the Commissioners of the Hackney Coach Office, for brutality and general misconduct. This offence was so flagrant that the *severest punishment* was inflicted, and at present he is under a long suspension. He is a worthless rascal, and if Mr. D. can do your lordship any service, you have only to command it.”

Enclosed in the above communication was the following extract from the *Times* newspaper of May 25th, 1814 :—

“On Friday last, William Crane, driver of the hackney coach No. 782, was summoned before the Commissioners on a charge of cruelty to his horses, and for abuse to a gentleman who noticed his conduct. The circumstances detailed were so shocking as to induce the Commissioners to observe that they never *heard a more atrocious case*. They would have inflicted a pecuniary penalty, but as it must necessarily be paid by his father, they ordered him instead to be suspended from driving any coach for three months.”

The trial, which resulted in my conviction, *on this very man's evidence*, took place on the 8th of June, 1814, *only a fortnight after his conviction of the atrocity just quoted!* so that at the moment of giving his evidence this man was himself under punishment for an offence pronounced by the commissioners to be “*so shocking that they never heard of a more atrocious case*”!!! Had this information been available at the trial, the jury would have paid but small attention to Crane's evidence.

Crane was convicted of stealing twenty sovereigns and other property under circumstances no less atrocious. He was sentenced to transportation for seven years, but at the expiration of three years received a *free pardon from the Government on his own petition*.

The subjoined certificate from the officials at Newgate, how-

ever, place his conviction and premature pardon by the Secretary of State in 1830 beyond doubt :—

“Office, Newgate, 23rd October, 1830.

“I do hereby certify that William Crane (aged 33) was committed to this gaol on the 17th of February, 1826, by J. C. Conant, Esq., for ‘stealing a box, a pair of scissors, and twenty sovereigns, the property and moneys of William Bucknall;’ tried before Mr. Sergeant Arabin on the 20th of February, convicted and sentenced to transportation for seven years, and that he was removed on the 23rd of March following, on board the ‘Justitia’ hulk at Woolwich.”

Endorsement at the back of this certificate :—

“William Crane has been discharged from the hulks *on petition to the Secretary of State*, and is now again driving the coach No. 781, belonging to his father! Crane’s discharge took place Thursday before last.

“13th November, 1830.”

(No signature, but evidently a police memorandum.)

These facts will be sufficient to convince the reader of my innocence as regarded the evidence of Crane, the hackney coachman. Yet his evidence was laid before the jury as of the highest reliable kind, whilst the very facts relative to his character, even to his being under conviction whilst giving his evidence, Lord Ellenborough and his colleagues refused to hear, because all the parties convicted were not present in court. It is scarcely possible to imagine greater injustice and folly, even in that day.

So little apparent danger was there of the possibility of my being declared implicated in this hoax, that even my solicitors had not taken the precaution of summoning my servants to give evidence as to the kind of dress worn by De Berenger; though during the period he remained in my house, previous to my arrival from the lamp-maker’s, where, on receiving his letter, I was busily engaged, and amidst the busy operations of packing my clothes, and other effects, to be sent on board the ‘Tonnant,’ he had been seen by nearly all my servants, the selection of clothing being carried on in the very room in which he was waiting my return for nearly two hours.

On my appeal to the Court of King’s Bench, I provided myself with the following affidavits from such of my servants as had come in contact with De Berenger, whilst waiting at my house :—

“THOMAS DEWMAN, servant to Lord Cochrane, maketh oath, and saith, that he, this deponent, has lived with branches of Lord Cochrane’s family for nearly twenty years; that he attended Lord

Cochrane last year to take letters and go on errands, and that he has been in the habit of going to Mr. King's manufactory almost every day; that this deponent was in Lord Cochrane's house, in Green Street, Grosvenor Square, on the 21st day of February last, when an officer came in a hackney-coach, about ten o'clock in the morning; that this deponent opened the door and spoke to the officer in the coach, who asked if Lord Cochrane was at home; that this deponent replied he was not, upon which the officer asked the deponent, if he knew where Lord Cochrane was gone to, which deponent answered that he believed his lordship was gone to breakfast with his uncle in Cumberland Street; that the officer then asked him if he could let him have a slip of paper and a pen and ink, which this deponent said he could; that this deponent then opened the coach door, and the officer came into the house, and went into the parlour, where this deponent gave him a small slip of paper, upon which he wrote a few lines by way of note, and desired this deponent to take the same to Lord Cochrane in Cumberland Street; that this deponent went immediately into Cumberland Street, but finding that Lord Cochrane was gone, he returned with the note to the officer in Green Street; that on his return the officer asked deponent if he knew where he could find him, that deponent then told the officer he had been ordered by Lord Cochrane to follow him to Mr. King's manufactory with a glass globe, and thought it probable he might meet with his lordship there, and if he did not, he would then go to the Admiralty, where he understood his lordship was to go that day; that the officer then took back the note from this deponent, opened it, and wrote a line or two more, and then re-sealed it and gave it to deponent, requesting him to take it immediately to Mr. King's manufactory, and that if he did not meet with Lord Cochrane there, he would take the note to the Admiralty, and if his lordship had not been at the Admiralty, to leave it there; that on the officer's requesting deponent to go to Mr. King's manufactory, he told the deponent that his finding Lord Cochrane was of consequence, and therefore begged deponent to be as expeditious as he could, and, if necessary, to take a coach; that this deponent did not take a coach, but went instantly to Mr. King's manufactory, where he met Lord Cochrane, and delivered him the note, which he opened in deponent's presence; that upon opening the note, Lord Cochrane asked deponent several times if he knew who the gentleman was that had written it, and upon deponent's informing him that he did not, Lord Cochrane made several inquiries as to his appearance and dress, observing that he could not make out the whole of the note, or who it came from; to this deponent answered, that he was an army officer; upon which Lord Cochrane having torn the note, threw it down, and then said, 'Very well, Thomas, I'll go back;' that from Lord Cochrane's manner and appearance, and the questions he put to deponent, on his delivering the note, this deponent verily believes that his lordship did not know from whom it came. And this deponent further saith, that when the officer came into Green Street, as above stated, he *was dressed in a grey greatcoat, such as the Guards wear, which was buttoned very close round the body up to the breast, and that such part of the under coat as he could see was of a dark-green colour*; that upon the officer's coming out of the coach into Lord Cochrane's house, he brought with him a

sword, and a small leather clothes-bag or portmanteau, which deponent believes might have held a change of clothes. That this deponent further saith, that he was hired by his lordship at Christmas last to go into the country, and relieve Richard Carter, his lordship's sea-steward; that this deponent left London about the 25th day of February, and Richard Carter, the sea-steward, then came to town, for the purpose of accompanying Lord Cochrane to his ship.

"THOMAS DEWMAN.

"Sworn in Court, June 14,
1814. By the Court."

"MARY TURPIN, cook-maid to Lord Cochrane, maketh oath and saith, that she went into his lordship's service on the 18th day of February last, and that she was in the house on the 21st of day February, when an officer came there, and that she was in the kitchen at the time the coach drove to the door; that she saw an officer alight from the coach and come into the house; that he arrived a little before nine o'clock; that this deponent went twice into the parlour while the officer was there, and doth most positively swear *that he wore a grey greatcoat buttoned up, with a dark-green collar or facing under it.* That the officer had with him a dark military cap with a gold band round it, and also a sword, and a small portmanteau.

"MARY TURPIN.

"Sworn in Court, June 14,
1814. By the Court."

"SARAH BUST, of No. 4, Great Marylebone Street in the county of Middlesex, spinster, maketh oath and saith, that she lived a servant to Lord Cochrane for nearly twelve months, and that she quitted his service on the 21st of February last; that she well remembers an officer coming to his lordship's house in Green Street, on the morning of that day; that the officer sent the man-servant out; that the officer *had on a grey greatcoat, which was buttoned up to the breast,* and that the neck of his under coat or such part as she could see, was a *dark green*, and he had also with him a military cap.

"SARAH BUST.

"Sworn at my Chambers,
June 13th, 1814. Before me,
S. LE BLANC."

To this I will append my second affidavit:—

"Sir THOMAS COCHRANE, commonly called Lord Cochrane, one of the above-named defendants, maketh oath and saith, that the several facts and circumstances stated in his affidavit, sworn on the 11th day of March last, before Mr. Graham the Magistrate, are true. And this deponent further saith, that in addition to the several facts and circumstances stated in his said affidavit, he deposeth as follows; that is to say: That he had not, directly or indirectly, any concern whatever in the formation, or any knowledge of the existence, of an intention to form the plot charged in the indictment, or any other scheme or design for affecting the public funds. That the sale of the pretended omnium, on the 21st day of February, was made in pursuance of orders

given to his broker at the time of the purchase thereof, on or about the 14th of that month, to sell the same whenever a profit of one per cent. could be realised : and that those directions were given, and the sale thereof took place, without any knowledge, information, hint, or surmise, on the part of this deponent, of any concern or attempt whatever, to alter the price of the funds ; and the said sale on the 21st took place entirely without this deponent's knowledge. That when this deponent returned home from Mr. King's manufactory on the 21st of February, which he did directly after the receipt of a note, he fully expected to have met an officer from abroad, with intelligence of his brother, who had, by letter to this deponent, received on the Friday before, communicated his being confined to his bed, and severely afflicted by a dangerous illness, and about whom this deponent was extremely anxious ; but this deponent found Capt. De Berenger at his house, in a *grey* greatcoat, and a *green* jacket. That this deponent never saw the defendants Ralph Sandom, Alex. M'Rae, John Peter Holloway, and Henry Lyte, or any or either of them, nor ever had any communication or correspondence with them, or any or either of them, directly or indirectly. That this deponent, in pursuance of directions from the Admiralty, proceeded to Chatham, to join his Majesty's ship the 'Tonnant,' to which he had been appointed on the 8th day of February last. That the ship was then lying at Chatham. That previous to the 8th day of February, this deponent applied to the Admiralty for leave of absence, which was refused, until this deponent had joined the said ship, and had removed her down to Long Reach ; that this deponent, in pursuance of those directions, removed the said ship from Chatham to Long Reach, and after that was done, viz., on Saturday the 12th day of the said month, this deponent wrote to the Admiralty to apply for leave of absence for a fortnight, for the purpose of lodging a specification for a patent, as had been previously communicated by this deponent to their lordships ; that leave of absence was accordingly granted for fourteen days, commencing on the 14th of the said month ; that this deponent was engaged in London, expecting the said specification, till the 28th of the said month, when the said specification was completed, and this deponent left town about one o'clock on the morning of the 1st of March, and arrived at Chatham about daylight on the same morning : that on the 8th or 9th of the same month of March, this deponent received an intimation that placards were posted in several of the streets, stating that a pretended Colonel De Bourg had gone to this deponent's house in Green Street ; that at the time this deponent received this intimation, he was on board the said ship at Long Reach, and in consequence went to Admiral Surridge, the Port Admiral at Chatham, to obtain leave of absence, which was granted ; previous to the receipt of the leave forwarded by the Lords Commissioners of the Admiralty, this deponent arrived in London on the 10th of that month, to the best of his belief ; and that after his trial, he himself, conscious of his own innocence, and fearing no consequence from a development of his own conduct, and desiring only to rescue his character from erroneous impressions, made by misrepresentations in the public prints, he, without any communication whatever with any other person, and without any assistance, on the impulse of the moment, prepared the before-mentioned affidavit, which he swore

before Mr. Graham, the magistrate, on the 11th; that at the time he made such affidavit, he had not seen or heard the contents of the Report published by the Committee of the Stock Exchange, except partial extracts in the newspapers; that when the deponent understood that the prosecution was to be instituted against him, he wrote to Admiral Fleming, in whose service Isaac Davis, formerly this deponent's servant, then was, under cover to Admiral Bickerton, at Portsmouth, and that Admiral Bickerton returned the letter, saying that Admiral Fleming had sailed for Gibraltar; that this deponent sent his servants, Thomas Dewman, Sarah Bust, and Mary Turpin, on the trial of his indictment, to prove that an officer came to this deponent's house on the morning of the said 21st of February, and to prove the dress that he came in; but that the said Thomas Dewman only was called, and, as this deponent has been informed, he was not interrogated as to the dress in which the said officer came to his house; and this deponent further saith, that had the said witnesses been examined according to the directions of this deponent, and who were in attendance on the Court for that express purpose, they would, as he verily believes, have removed every unfavourable conclusion respecting this deponent's conduct, drawn from the supposed dress in which the said De Berenger appeared before the deponent on the 21st of February, and on which circumstances much stress was laid in the charge to the jury, the said De Berenger's dress being exactly as stated in this said deponent's former affidavit hereinbefore mentioned: and this deponent solemnly and positively denies, that he ever saw the said De Berenger in a scarlet uniform, decorated by medals, or other insignia; and he had not the least suspicion of the said De Berenger being engaged in any plot respecting the funds, but merely believed he wished, for the reasons stated in deponent's former affidavit, to go on board this deponent's ship, with a view to obtain some military employment in America; and this deponent declined complying with his request to send him on board his ship without permission, or an order from the Admiralty: and this deponent further saith, that he was in no degree intimate with the said De Berenger; that he had no personal knowledge of his private or public character; that he never asked the said De Berenger to his house, nor did he ever breakfast or dine with this deponent therein, on any occasion whatsoever; and further, this deponent saith, that he had been informed, and verily believes, that the jury who tried the said indictment, and the counsel for the defence, were so completely exhausted and worn out by extreme fatigue, owing to the Court having continued the trial without intermission for many hours beyond that time which nature is capable of sustaining herself without refection and repose, that justice could not be done to this deponent.

“ COCHRANE.

“ Sworn in Court, June 14, 1814.

By the Court.”

With such documents in my hand I was refused a new trial, for reasons hereafter to be adduced. Of the vindictiveness with which I was pursued, there can be no better proof than that the other parties convicted on clear evidence were let off with imprisonment and half the fine inflicted on myself and Mr. Butt;

whilst we, who had nothing to do with the matter, were fined 1,000*l.* and in addition sentenced to the barbarous punishment of the pillory. I advisedly say "we," for I will here put on record my conscientious belief that Mr. Butt had no more to do with the hoax than myself. I give this testimony to the memory of a truly excellent man, whose misfortune it was to have become the dupe of others, without the least hope of benefit to himself.

It is impossible in an autobiography like the present to go into the entire case *seriatim*, as it would be easy to bring forward other proofs as clear as those now adduced. The evidence of Crane was, however, the important point. I have now laid before the reader the documents which the Court of King's Bench declined to entertain, and have no doubt as to what his decision must be. Whether was it the more probable, that a man in my position, with nothing to gain by it, should, in order to commit a fraud, conspire with several other persons of whose names he had never before heard, and then swear that I did not commit it—or, that such a man as Crane, at the moment of giving his evidence, himself under conviction and sentence for a heinous offence, should swear falsely to the colour of a coat for a pecuniary reward? I, to whom the public voice, and the rewards of my sovereign, had elevated to an honourable rank in my profession, or a hackney coachman, under conviction at the moment of giving his evidence, and known in his own line of life to have been the most depraved of one of the most depraved classes of society?

My conviction was followed by expulsion from the House of Commons, and was voted by a majority of 140 to 44. But that in a House like the one with which the reader is now well acquainted, *forty-four* independent gentlemen should be found to believe in my innocence, in the teeth of the ministers of the day, of whom Lord Ellenborough was one, the same ministry being, as personified in Lord Castlereagh and Mr. Croker, is perhaps as good proof of innocence as could be desired,—certainly as great as could be expected.

It is with no small pride that I publish the names of the minority. There are those amongst them whose testimony will weigh with posterity:—

"LIST OF THE MINORITY

WHO VOTED AGAINST THE EXPULSION OF LORD COCHRANE.

Allan, G.	Hughes, W.	Rashleigh, Wm.
Atherley, A.	Lambton, J.	Richards, Rt.
Barham, S.	Lloyd, H.	Ridley, Sir M.
Bennet, Hon. H.	Macginnis, —	Russell, Lord Wm.
Brand, Hon. T.	Maddox, Wm.	Simpson, G.
Brown, D.	Martin, J.	Smith, W.
Brydges, Sir E.	Mildmay, Sir H.	Tavistock, Marq. of
Burdett, Sir F.	Mills, Rt.	Western, C.
Burrel, Hon. P.	Montgomery, Sir H.	Whitbread, S.
Butterworth, Jos.	Moore, P.	Williams, Sir R.
Challoner, R.	Newman, Rt.	Wortley, J.
Ebrington, Viscount.	Nugent, Lord.	
Flood, Sir F.	Ossulston, Lord.	
Gaskell, B.	Ponsonby, Rt. Hon. G.	TELLERS.
Grant, Ch., sen.	Power, R.	Lord A. Hamilton.
Grant, J. P.	Rancliff, Lord.	A. Brown."

CHAPTER XL.

Remarks on Lord Ellenborough's directions.—Proofs of this fallacy.—His assumption of things not in evidence, and unwarrantable conjectures, in positive opposition to evidence.—His desire to convict obnoxious persons.—Leigh Hunt, Dr. Watson, and Hone.—Lord Ellenborough a cabinet minister at the time of my trial.—My conviction a ministerial necessity.—Vain attempts to get my case reheard.—Letter to Lord Ebrington.—The improbability of my guilt.—Absurdity of such imputation.—Letter of Sir Robert Wilson.—Letter of the late Duke of Hamilton.—Mr. Hume's letter.—Causes for my persecution.—Treatment of the Princess Charlotte, who fled to her mother's protection.—Sympathy of the princess for my treatment.—My popularity increased thereby.—Mine really a state prosecution.—Restoration of Sir Robert Wilson.—My restoration incomplete to this day.

If such evidence as has been exposed in the last chapter was unreliable, the use made of it by the Bench was unjustifiable. Crane deposed to De Berenger's having with him "a portmanteau big enough to wrap a coat in." The person of whom the coat was bought deposed to his taking it away in this portmanteau, yet the judge—despite the obvious consideration, that De Berenger could not have gone to Dover in this splendid and ornamented dress, but must have had some other dress for his journey—charged the jury that "it did not appear that De Berenger *had the means of shifting himself!*" He had the means of putting on the red coat at or near Dover, and what doubt could there be that this portmanteau supplied the means of again shifting it after his return? The evidence on the trial

showed that shortly before reaching London he *drew down* the sun-blinds of the chaise, when there can be no reasonable doubt that he changed it for the green one in which he went to Dover, and which had been temporarily placed in the portmanteau. Crane, as has been shown by his own words, gave his evidence *under the expectation of reward*, and had no doubt been instructed that a *red coat was the very thing wanted*.

On the evidence of this man Crane, the jury was further charged that De Berenger not only entered my house in a red uniform, but that it was also decorated *with a star and medal*! There was nothing in the testimony of Crane or the waterman, which even related to a star and medal. They never gave the slightest intimation of De Berenger's wearing any such ornaments; but as he appeared to have worn some ornaments of the kind at Dover, this is *prima facie* proof that he *had changed* his coat on his return, otherwise both Crane and the waterman must have seen ornaments so conspicuous.

Still a star, like a red coat, was wanted to convict me, and a leading question to the postboy—who admitted that, *previous* to the trial, *he had received 52l.!!!* was, whether he had seen a star? His reply was that he had seen something of the kind, but that "*he could not swear what it was.*" He nevertheless said that he had "*opened the chaise-door,*" and therefore must have been within a yard of the star, if star there were, so that his refusal to swear to it is palpable proof that De Berenger *wore no star on his return*, this being no doubt on the red coat in the portmanteau. Yet, said Lord Ellenborough to the jury, "HE PULLED OFF HIS SCARLET UNIFORM AT LORD COCHRANE'S HOUSE. HE CAME TO LORD COCHRANE FULLY BLAZONED IN THE COSTUME OF HIS CRIME." (*Times' report of the trial.*)

The fact that De Berenger had with him, according to Crane's evidence, "*a portmanteau big enough to wrap a coat in,*" was not laid before the jury, nor the obvious inference that he must, beyond doubt, have conveyed his scarlet coat to Dover in that portmanteau, because a man whom the solicitor-general said "*was no fool,*" would not have committed such an act of folly as *prematurely* to array himself in so remarkable a dress, intended for so criminal a purpose.

A circumstance strongly inferential occurred which went far to prove that De Berenger *had changed* his dress before coming to my house. On the first part of the journey he was proved to have worn a sword, unquestionably as essential to his

assumed character. But before he came to my house, he had disengaged himself from the sword, for Crane swore that on entering, he “took out of the chaise a portmanteau and a sword, and went in.” So that, according to the evidence of Crane himself, the chief witness for the prosecution, *he had made one material alteration in his appearance.* Why should De Berenger have worn his sword up to the last stage from Dover, during which he “pulled down the sun-blinds,” and then have taken it off, but for the plain reason that he could not change his scarlet coat for his green uniform without first taking off his sword, which he had not replaced, but laid it on the chaise-seat during the operation. Not a word of this was allowed to go to the jury, though if—as Lord Ellenborough argued—he had been regardless of exhibiting himself to me in the false character of a military officer, he *would hardly have taken off his sword!* These facts were not only proofs that a partial change of dress had been made, but that an entire change had been effected, to which the removal of the sword was absolutely necessary. Had my servants been called upon the trial, their testimony, as seen in their affidavits contained in the previous chapter, must have been decisive.

It has been stated, that at the instance of Mr. Cochrane Johnstone, Sir Alexander Cochrane applied to the Admiralty for permission to engage De Berenger, and the records of the Admiralty would then, as no doubt they will now, prove the fact. There was not a word passed on the subject at the trial, nor any witness brought from the Admiralty to decide the point. Yet Lord Ellenborough put it to the jury as beyond doubt, *that it was I or Mr. Cochrane Johnstone, who was also a defendant in the same prosecution, who applied to Sir Alexander for his engagement!*—thus making this unfounded but important fact part of his direction to the jury. Here are the judge’s words:—

“There is no doubt that Sir Alexander Cochrane had, on some application from Mr. Cochrane Johnstone, or *Lord Cochrane*, applied for him.”—(*Report*, p. 483.)

It is difficult to account for the judge’s motive in making such a statement, wholly unsupported by evidence. Neither was there even an attempt to show that I had ever interfered or even interested myself in any application on De Berenger’s behalf. The fact of Sir Alexander Cochrane having made the application was most important for my defence, because it added greatly to the probability of my statement in my affidavit,

and accounted for the conduct of De Berenger in presuming to call on me to request a passage to America. This Lord Ellenborough completely neutralized by telling the jury that *it was I* who applied to Sir Alexander for his employment ; the impression made on the minds of the jury being, that notwithstanding I disclaimed all knowledge of the man, I had been on terms of intimacy with him before the application was made !

The judge then declared as follows:—"But it does not rest there ; for he himself lends to this person the immediate means of concealment,—he lets him have a hat *instead of his laced cap ; and what had such a cap to do with a sharpshooter's uniform?*" (*Report*, p. 485.) I had never said a word about a "laced cap," nor had I ever seen De Berenger's cap, for, as one of my servants testified, it lay in the hall. After this direction to the jury and my consequent conviction, I made it my business to ascertain what kind of cap was worn by the adjutant of Lord Yarmouth's rifle-corps, and, to my great surprise and indignation, discovered that the regimental head-dress of De Berenger was a black cap *with a spacious gold band upon it, a long gold tassel pendant, and a death's head and marrow bones in bronze!*—so that sharpshooters had something to do with laced caps.

Still more extraordinary was the judge's observation to the jury:—"The uniform of the rifle-corps is of a bottle-green colour, made to resemble the colour of trees, that those who wear it may hide themselves in woods, and escape discovery there." (*Report*, p. 478.) This was in direct opposition to the evidence, for Lord Yarmouth had actually testified in court that the uniform of the corps was "waistcoat-green, with a *crimson cape!*"

MR. PARK.—"What is the uniform of your *corps?*"

LORD YARMOUTH.—"The uniform is the waistcoat-green, with a *crimson cape.*"

MR. PARK.—"A bottle-green, is it not?"

LORD YARMOUTH.—"Some have got it a little darker than others, but it should be a deep bottle-green, with a *crimson collar.*"

I have merely taken these instances at random, and without comment further than necessary to enable the reader to comprehend them. As my judge is no longer here to reply to me, I abstain from comment, however much it might tend, now that the party spirit which ruined me has died out, to establish my innocence. Still I cannot refrain from adducing a few extracts from Lord Campbell's work, relative to the trials of politically obnoxious persons.

Lord Ellenborough's efforts to convict Leigh Hunt of libel, and the verdict not "Not Guilty," pronounced by an indignant jury, are matters within the memory of many now living. "Such scandal," says Lord Campbell, "was excited by the mode in which Government prosecutions for libel were now instituted and conducted, that Lord Holland brought the subject before the House of Lords. The violence of Lord Ellenborough, when opposing Lord Holland's motion, is foreign to the subject of the present work. Sir James Mackintosh, who heard it, expressed himself 'disgusted with its dogmatism.'" (*Lord Campbell*, vol. iii. p. 205.)

The subjoined are Lord Campbell's remarks when introducing the subject :—

• He did his best to convict Leigh Hunt, then the editor of the *Examiner*, upon an *ex officio* information for publishing an article against the excess to which the punishment of flagellation had been carried in the army.

" 'Gentlemen,' said he to the jury, 'we are placed in a most anxious and awful situation. The liberty of the country—everything we enjoy—not only the independence of the nation, but whatever each individual amongst us prizes in private life, depends upon our fortunate resistance to the arms of Buonaparte and the force of France, which I may say is the force of all Europe, combined under that formidable foe. It becomes us, therefore, to see that there is not, in addition to the prostrate thrones of Europe, an auxiliary within this country, and that he has not the aid for the furtherance of his object of a *British Press*.'"

* * * * *

" 'This publication is not to draw the attention of the legislature or of persons in authority *with a view to a remedy*, but seems intended to induce the military to consider themselves as more degraded than any other soldiers in the world, and to make them less ready at this awful crisis to render the country that assistance without which we are collectively and individually undone. *I have no doubt but that this libel has been published with the intention imputed to it, and that it is entitled to the character given to it in the information.*'"

"Nevertheless, to the unspeakable mortification of the noble judge, the jury found a verdict of *Not Guilty*." (Lord Campbell's *Lives of the Chief Justices*, vol. iii., pp. 201-203.)

The following are Lord Campbell's remarks on the verdict in the seven days' trial of Dr. Watson on a charge of high treason. After charging the jury,

"He asked them whether they would take some refreshment before they left the bar, when the foreman, in a tone which made the *Chief Justice's countenance visibly collapse*, said, 'My lord, we shall not be long.' Accordingly, after going through the form of withdrawing and consulting together, they returned and pronounced their verdict, to

which they had long made up their minds—*Not Guilty.*”—(Vol. iii. p. 222.)

The case of Hone, in 1817, is another in point. I know nothing of Hone's works, nor of the libels of which he was accused, but Lord Campbell says, that “he defended himself with extraordinary skill and tact, and at the end of the first day's trial was *acquitted.*”

“This being related to the enfeebled Chief Justice, his energy was revived, and *he swore that, at whatever cost, he would preside in Court himself, so that conviction might be certain!*” (He did so, and thus charged the jury :) “‘I will deliver to you my solemn opinion, *as I am required by Act of Parliament to do*; under the authority of that Act, and still more, in obedience to my conscience and my God, I pronounce it to be a MOST IMPIOUS AND PROFANE LIBEL.* Hoping and believing that you are Christians, I doubt not but that your opinion is the same.’”

The jury almost immediately pronounced a verdict of “NOT GUILTY.”

“Still,” says Lord Campbell, “the Chief Justice was undismayed, and declared that he would next day proceed with the indictment. This was a most indiscreet resolution. The whole of Hone's third trial was a triumph, the jury plainly intimating their determination to find a verdict in his favour. * * * * After a similar summing up as on the preceding day, there was *the like verdict.* * * * * The popular opinion was, that Lord Ellenborough was killed by Hone's trial, and he certainly never held up his head in public after.” (*Lord Campbell*, vol. iii. p. 225.)

These facts prove, that *subsequently to my trial*, whenever, Lord Ellenborough, in a popular case, charged the jury to bring in the defendant “GUILTY,” the jury made a point of finding “NOT GUILTY.” It was unfortunate for me that such a course was not previously adopted, but, perhaps, it may be said, that my case brought about this result.

One most material point connected with the trial cannot be overlooked; one in fact, which not only concerned the liberties of obnoxious persons like myself, but also the liberties of every man in the country. At the period of my trial, Lord Ellenborough was not only Chief Justice of the King's Bench, BUT AT THE SAME TIME A CABINET MINISTER!!! This terrible combination of incompatible offices was for the first time under con-

* The italics and capitals are Lord Campbell's.

stitutional government effected in the person of Lord Ellenborough, and, to the credit of subsequent administrations, for the last time also. No other Chief Justice ever came hot-foot from a Cabinet Council to decide the fate of an accused person, politically obnoxious to the Cabinet; the trial going on from day to day, so as to become open no less to Cabinet than to forensic discussion.

The thing was monstrous, and could only have been acted on in this instance for the purpose of suppressing, by the expedient just shown, the rising spirit of public liberty which the Government was ever on the watch to keep down. The "Quarterly Review," when commenting on the "Life and Correspondence" of Sir Samuel Romilly, thus treats the matter. (No. 132, 1840, page 612):

"The Whigs, by way of including *all the talents*, had given the Chief Justice of the King's Bench (Lord Ellenborough) *a seat in the Cabinet*, and upon this before unheard-of combination of the judicial and ministerial characters, this monstrous attempt to tinge the ermine of justice with the colour of party!"

The chance I had may be readily estimated, *with a Cabinet minister for my judge*, and the Cabinet of which he was a member composed of ministers to whom I had become deeply obnoxious by determined opposition to their measures; having, in fact, given them more trouble than any other of my party, because my knowledge of naval abuses and profligate expenditure enabled me to expose both. It might, with one of my most bitter opponents for a judge, have been a still greater marvel had I been acquitted, than that I was convicted without and in opposition to evidence. Had Lord Ellenborough possessed a true sense of delicacy, he would never have presided at that trial. Still less would he have refused me a new trial when more perfectly prepared; a proceeding no doubt adopted as the best means of silencing further discussion, which had begun to harass him personally, and to cause uneasiness to the ministry. The shortest course, if not the justest, was to screen himself and them by *immediately* crushing his adversary. But the injury went farther than my conviction in the Court of King's Bench. After my subsequent expulsion from the House, which, as Lord Brougham rightly says, "*secured my reelection for Westminster*," on its adverse note *hung the fate of the ministry*. Had that vote been in my favour, the Chief Justice could not have held his seat in the Cabinet, and his evacua-

tion could scarcely have been otherwise than followed by that of the whole ministry. Of this, however, there was little danger, the great bond of adhesion to the Ministry, as has been fully shown in the course of this work, being the pensions and sinecures so freely distributed amongst an unreformed House of Commons.

The question, however, became thus one of ministerial existence. Had the House, as it ought to have done, irrespective of me or my case, repudiated the anomaly of a Chief Justice holding a seat in the Cabinet, the retirement of Lord Ellenborough must have been indispensable and *immediate*. He could not have maintained his political office for an hour. In place of an individual member being heard in his own defence, the question really was the right of a Chief Justice to hold a seat in the Cabinet, or in legal phrase, the issue was, Lord Cochrane *versus* Lord Ellenborough, the Admiralty, and the Cabinet. In the unreformed House of Commons Lord Cochrane, as a matter of course, went to the wall, no one expecting otherwise.

Of the guilt or innocence of the other parties convicted I know nothing; but this I will say, that, if guilty, there was nothing in their guilt half so bad as the deliberate malice which on two occasions had conspired to ruin me. My appointment as flag captain to my uncle was gall and wormwood to those who, for opposing a vote of thanks to Lord Gambier, had condemned me to five years' deprivation of employment, at a time when my services would have been honourable to myself and beneficial to my country. I had gained employment in a way beyond their control, and my unjust conviction of having participated in a trumpery hoax, which common sense might have convinced them was beneath my notice, was converted into the means of preventing the future exercise of my abilities as a naval officer.

I have to apologise to Lord Campbell for the freedom with which I have used his great work; but though an unjustly maligned man, my reputation is as dear to me as though no spot had ever rested upon it, and I have adduced these extracts to show that Lord Ellenborough, in his zeal for justice, might have possibly mistaken my case. His biographers ascribe to him pure motives, and I am bound not to set my opinions against those of his biographers, nor have I done so. But for forty-six years I have been vainly endeavouring to *get my case reheard*, and much allowance should be accorded me. I would not ask

for mercy, if guilty, but for increased severity of punishment, as I should most richly deserve. To demand a hearing of my case was my first public act after my trial. It shall be my last. That public act was a letter to Lord Ebrington, deprecating his lordship's interference for a mitigation of my outrageous sentence. The following is a copy of this letter:—

“King's Bench, July 13, 1814.

“MY LORD,—Although I claim no right to interfere with the Parliamentary conduct of any member, or to interfere with the motions which he may judge proper to originate, yet I owe a duty to myself which demands that I should apprise your Lordship that the motion of which you have given notice respecting me, has a tendency to bring down upon me a greater indignity than any which has been offered to me by my enemies. I had flattered myself, from a recent note of your Lordship, that, in your mind, I stood wholly acquitted; and I did not expect to be treated by your Lordship as an object of mercy, on the grounds of past services, or severity of sentence. I cannot allow myself to be indebted to that tenderness of disposition, which has led your Lordship to form an erroneous estimate of the amount of punishment due to the crimes of which I have been accused; nor can I for a moment consent, that any past services of mine should be prostituted to the purpose of protecting me from any part of the vengeance of the laws against which I, if at all, have grossly offended. *If I am guilty, I richly merit the whole of the sentence which has been passed upon me. If innocent, one penalty cannot be inflicted with more justice than another.* If your Lordship shall judge proper to persist in the motion of which you have given notice, I hope you will do me the justice to read this letter to the House.

“I have, &c.,

“COCHRANE.

“The Lord Ebrington.

Independently, however, of these, or any other considerations, I might point to my previous general services as a naval officer, for which *I* had not received public reward of any kind;—to my refusal of a squadron of frigates, and Lord Mulgrave's own regiment, if I would consent to a vote of thanks to Lord Gambier conjointly with myself,—an offer which, had it been accepted, would have been tantamount to the acquisition of half a million of prize-money;—to my unceasing opposition in Parliament to the abuses of the Admiralty Courts and naval administration in general, in direct opposition to my own pecuniary interests;—to my rejection of the openly-expressed proposal of the Secretary to the Admiralty to quit the Radical party, and come over to that of the Government;—to my anticipated employment on the coasts of the United States, and the great pecuniary proceeds which there was every reason to expect as

the result of putting my previous experience in practice. I would then put it to the common sense of the reader, whether the acquisition of a few paltry hundred pounds—by means of the imputed frauds on the Stock Exchange was a likely motive to actuate me in joining a conspiracy with persons, some of whom I never knew or heard of, which, if detected, must have destroyed my future prospects, when on the eve of an expedition calculated in all human probability to have raised me above all political enmity? The reply is self-evident.

I would again ask, whether, with a guilty knowledge of the act in which De Berenger had been engaged, I should have perpetrated the consummate folly of involuntarily disclosing all that took place on unexpectedly finding him at my house; this voluntary information on my part affording the only clue to the case, which could otherwise never have been developed.

If guilty, such disclosure on my part would have been an act of absolute insanity. Had I been aware that his asking me for the means of concealing his uniform,—first, on his representation that, not being a drill day, he could not appear in it before his colonel, Lord Yarmouth; and secondly, that he could not return in it to the Rules of the King's Bench without exciting suspicion that he had been violating the Rules,—is it likely that I should have voluntarily become my own accuser, when there existed no necessity for me to say a single word on the subject? Should I not rather, if guilty, have given him the order to go on board the 'Tonnant,' and thus place both him and myself beyond the reach of danger?

In place, however, of further vindication of my character as having had any participation in this wretched hoax, I will, in addition to the legal opinions already adduced, bring forward others since pronounced by men in whom the public repose the most implicit confidence.

And first the voluntary statement of a gallant general, who had been equally ill-used with myself, and by the same political adversaries and clique who persecuted me,—I mean Sir Robert Wilson, who happily survived his persecution, was reinstated in his military rank and honours, and died honoured and lamented.

“Regent Street, 14th March, 1823.

“MY DEAR LORD,—It has been mentioned to me that a memorandum I once held with the late Mr. Whitbread on the subject of your persecution, and which I have frequently repeated, might be a document of

some utility; my compliance with the expressed wish is not an act of friendship, but of duty and justice to all parties.

"I therefore do affirm, upon my honour, to the accurate truth of the following statement, being ready, if required, to give it any legal character of which it may be susceptible;—

"Being at Southall Park in the year 1814, I took an opportunity of asking Mr. Whitbread for his opinion on the subject of Lord Cochrane's trial and sentence, stating to him that as I had been out of England at the time, I was very imperfectly acquainted with the proceedings; but feeling much interested about the character of an officer so eminently distinguished, I was desirous to pin my faith upon his (Mr. Whitbread's) judgment; but if, from any political or personal consideration, he could only give me a partial or half compliance, I begged him to be silent altogether, as my object was to know the whole truth, and to be put in possession, for my future guidance, of his most secret feelings on the transaction.

"Mr. Whitbread replied, that he had no hesitation to acquiesce with my wish; that there never was a case to which he had given more attention, or which had caused him more sleepless nights, as he had been resolved to probe the matter to the bottom, if possible, and come to a just conclusion. That he had formed his conclusion; and, if they were the last words he had to utter before appearance in the presence of the Creator, he should say that *he was convinced that Lord Cochrane was totally and entirely innocent of the whole or any part of the offence laid to his charge—that he felt certain that Lord Cochrane was in no way privy to the proceedings so far as they related to any imposition.*

"Mr. Whitbread added, 'My family know this to be my conscientious opinion, and *I am persuaded that time will prove it to be the correct one*;'* but, in any case, you have it from a man who has endeavoured to form it honestly, and also, for that purpose, divested his mind, as much as possible, of every bias.

"I remain, my dear Lord,

"With much regard, yours,

"R. WILSON."

The following warm-hearted letter was written me by the late Duke of Hamilton on my appointment to the command of the West India fleet:—

"Hamilton Palace, Jan. 6, 1848.

"MY DEAR LORD,—Your letter of yesterday has awakened the liveliest sensibilities of my heart. If I ask myself whether they proceed from the love of justice, or the love of a friend, my reply is, from both.

"The communication you have just made to me is most gratifying; and the First Lord of the Admiralty has done himself immortal honour

* Not if the "revised" report of the trial is consulted; for the studied appearance of fairness which is there put on might mislead the reader. But if the *verbatim* reports of the trial are consulted as they appear in the *Times* and other daily papers, I have no fear of any amount of criticism, or that anything but my entire innocence will be made manifest. The *animus* against me is there so clear, that the reader would hardly be induced to inquire further.

in appointing that naval officer Commander in one hemisphere who had previously illustrated his name by his most brilliant exploits in the other. Everything, I think, has been done to undo the foul aspersions with which you you have been assailed, and I am sure everything will be now done that will most serve to establish the ability of the officer and the delicacy of the gentleman.

"I congratulate you most sincerely upon your appointment, and hope you will meet with difficulties when you arrive at your destination. Don't be surprised at my wish. It proceeds from knowing the ample resources of my friend to overcome them, and his constant desire to sacrifice everything to duty and honour.

"My good wishes will follow you across the ocean, and reside with you in your future destinies. Let me have the satisfaction of hearing from you, and with every sentiment of affectionate regard, believe me to be, my dear lord, your truly attached friend and cousin.

"C. H. AND B."

Without multiplying communications of a similar kind, I will merely adduce a portion of a letter written to me by a gentleman, in whose opinions and sterling honesty the public has been accustomed to repose the highest confidence, viz. the late Joseph Hume. The occasion of the letter was my having consulted him in an attempt to obtain a re-investigation of my case so late as 1852:—

"Bryanstone Square, May 10, 1852.

* * * * *

"I knew at the time the alleged offence was committed, Mr. Cochrane Johnstone; and my conviction at the time was, and still is, that you were the dupe of his cupidity, and suffered from his act. With David Ricardo, who was the prosecutor on the part of the Stock Exchange on that occasion, I have often conversed on the subject.*

"I considered that you were incapable of taking the means resorted to, and for which you suffered, and was pleased to learn that you had been restored to your rank. I considered *that act* a proof that the Government which had restored you to the rank and honour of your profession, and had afterwards appointed you to the command in the West Indies, must have come to the same conclusion; and until the perusal of your draft petition, I concluded that *you had all your arrears paid to you as a tardy, though inadequate, return* to your lordship, whose early exploits did honour to yourself, and gave additional lustre to the naval service of your country.

* Mr. Hume's statement, that David Ricardo was the prosecutor on the part of the Stock Exchange, throws additional light on the selection of Mr. Lavie, as the *acting prosecutor* on the trial. As Mr. Ricardo was selected to manage the prosecution, the transference of his duties to a *known Admiralty solicitor*, who had once before been successfully employed against me, requires no comment.

“Sir Robert Wilson, acting with me as a friend of the late Queen Caroline, in our desire to see justice done to her, was by a *secret and most unjust decision of the Government of the day, under Lord Liverpool and Lord Castlereagh*, dismissed from the military service, of which he had been a distinguished ornament, and had all his honours taken away. The honour he had received from the Court of Vienna, for the preservation of the life of a member of that family (in a river in Flanders) under Colonel, afterwards Lord, Lake, was also taken from him!!

“The offence of Sir Robert Wilson was his supposed interference in obstructing the funeral *cortège* of the late Queen Caroline in its progress towards the City. The progress was ordered by the Government to have been by the New Road to Essex. The people obliged Sir Robert Baker, then at the head of the police and in charge of the escort, to proceed through the City of London, contrary to the express order of the King (George the Fourth), and under that suspicion Sir Robert Wilson was dismissed and unjustly treated.

“I knew that Sir Robert Wilson had arrived from France in company with Mr. Edward Ellice, and did not reach the house of Mr. Alderman (the name is illegible), where I was until eight or nine o'clock of the evening before the funeral. His offence was his accompanying the funeral along with Sir John Hobhouse, myself, and others; and when the troops fired on the people at Hyde Park, Sir Robert Wilson endeavoured to prevent bloodshed. I was present, and heard and saw everything that passed. For that supposed offence he was cashiered, and remained for years, as your lordship did, under the disgrace.

“His Majesty, King William, was satisfied of the innocence of Sir Robert Wilson, of the offence charged against him, and he was restored to the service, and I understood was paid all the arrears of pay and allowance during his suspension, and afterwards appointed to the command at Gibraltar. I was pleased at the result, and it would give me equal pleasure to learn that your application to her Majesty should be attended with an act of justice to you equally merited.

“I think other instances of restoration to rank, accompanied with payment of arrears of pay and restoration to all military honours, will be found if you should adopt the same course to seek justice.

“I remain, &c.,

“JOSEPH HUME.

“The Right Hon. the Earl of Dundonald.”

This letter narrates the arbitrary and unjust dismissal of an eminent officer without trial, without accusation, and without having in any way rendered himself politically obnoxious, otherwise than to stop the indiscriminate slaughter of an unarmed people. The act of his dismissal was one of pure despotism, committed by a ministerial faction, of which history affords scarcely a redeeming feature. It is not surprising that I, of all others in the House of Commons the most politically obnoxious to the same faction, should have been for years selected as the

mark for their unscrupulous hatred. Still less is it probable that men who regarded and defended place, pensions, and sinecures as a right, would stick at the practices which have been laid bare in this work, when a political adversary who exposed their greediness for national plunder could be crushed. To say more of them, than that they were the men who crushed Sir Robert Wilson, would be superfluous.

I will add yet one more illustration. At my re-election for Westminster—the consequence, as Lord Brougham as well said, of the outrageous treatment to which I had been subjected—an incident occurred with which my wrongs became indirectly mixed up. Whilst the electors of Westminster were securing the triumphant return of one who was in durance, under an infamous sentence, the daughter of the Prince Regent was flying from court tyranny.

On the day preceding my re-election, the greatly beloved Princess Charlotte, then under age, escaped from her father's protection, and, having called a hackney coach from the stand at Charing Cross, fled to her mother's residence in Connaught Place. The public mind was at the time in a state of great excitement on account of the vindictive sentence passed upon me, and the electors of Westminster having determined to sustain me, every precaution was taken by their leaders to keep alive the public sentiment.

In the midst of this excitement the flight of the princess became known, together with the fact that she had been treated by her father with an amount of unbecoming violence and coercion, and through some of his acquiescent ministers outraged by an injudicious pressure, the object of which was to force upon her a marriage to which she had not only a personal objection, but towards which she had publicly expressed a decided and insuperable aversion.

Notwithstanding this, the Regent, regardless of his daughter's feelings, insisted on proceeding without loss of time with the preparations for her marriage; and it was on repeating his fixed determination as regarded her fate, that she took the step of placing herself under her mother's protection, the terror inspired by the interview with her father being such that, without bonnet or shawl, she ran down the back staircase of Warwick House, and escaped by the servants' *entrée*.

Not many hours elapsed before the fact of her flight and its cause became publicly known. This act of political tyranny

towards a princess, who, though so young, had, by her powers of mind and engaging manners from her childhood, secured the universal affection of the people, created an amount of sympathy which, coupled with the excitement and irritation at my outrageous treatment, almost amounted to public frenzy.

The Government became alarmed. Crowds beset the house of her late Majesty Queen Caroline, where their favourite was safely sheltered. The carriages of the Royal family and of the ministers, including those of the Lord Chancellor, Lord Ellenborough, and the Law Officers of the Crown, were all in attendance, their occupants having been sent to use their influence with Her Royal Highness to induce her to return, but in vain. She even refused to see any of the royal family except the Duke of Sussex, for whom she had sent, as well as for Mr. Brougham, the latter to advise her in the difficult position in which she had been compelled to place herself. The advice was to return; but she declared in strong terms that she could not overcome her repugnance to the violent treatment she had received, or to the attempt to force her into a marriage which she held in aversion.

The day following this scene was the day of my re-election for Westminster. The same overtures were repeated to the princess, but without making the slightest impression on her wounded feelings. At length the Duke of Sussex took his niece to the window of the drawing-room and drew her attention to the angry multitude assembled before the house, explaining to her that such was the public sympathy in her favour, and such the interest the people took in her happiness, that they would form a shield for her protection against which her oppressors would scarcely venture to array themselves.

Still the princess remained inexorable, till the danger of continued public excitement was pointed out to her. She was told by the Duke of Sussex, that the irritation was twofold, for *that very day was appointed for the re-election of Lord Cochrane for Westminster, after the unjust sentence which had been passed upon him, and which also formed another great cause of public excitement, whilst the two causes combined might lead to a popular outbreak which it was to be feared would end in bloodshed, and perhaps in the destruction of Carlton House itself. It was further urged, that in case of mischief, no small portion might be laid by ministers to the account of Her Royal Highness*

These considerations sensibly affected the princess, who was moved to tears, and exclaimed: "POOR LORD COCHRANE! I

HEARD THAT HE HAD BEEN VERY ILL USED BY THEM (meaning her father's ministers); SHOULD IT EVER BE IN MY POWER, I WILL UNDO THE WRONG."

With a magnanimity which her persecutors could neither feel nor comprehend, the princess then declared her perfect readiness to render herself a self-sacrifice, in order to prevent the dreadful result which she felt might be possible; and shortly afterwards returned to Warwick House, accompanied by her uncle the Duke of York. Her courage and firmness relieved her from further importunity from her father and his ministers on the subject of the hateful marriage, which was broken off, and this noble-minded woman afterwards contracted with the present King of the Belgians a marriage of affection, approved by the whole country.

Such instances of tyrannical oppression as these will be read with amazement by the present generation, though there are those yet living who can corroborate their recital. When even a princess of the blood royal, the idol of the whole nation, was not exempt from persecution, what hope had I of escaping ministerial vengeance, backed by a House of Commons, the majority of which consisted of sinecurists and placemen, whose fortunes *in esse* and *in posse* depended on their subservience to the place-givers?

It is true, I had with me the sympathy of the public, and this alone sustained me under such an accumulation of injury. Men do not become popular for nothing; but I have no hesitation in saying, to the honour of my constituents, that the injustice done to me by an adverse ministry gave me far greater popularity than anything I had accomplished in my professional capacity. For five years my adversaries had taken care that no fresh achievements in war should be added to my professional reputation; and it was only when by my uncle's favour, I had once more an opportunity of distinguishing myself in spite of the Admiralty, that the concentrated malice of the faction I had offended by my pertinacious opposition in parliament burst on my head in the shape of a prosecution, in which my judge was a member of the very cabinet to which I was politically and personally obnoxious.

In a general point of view, there can be no two opinions on the impropriety of a cabinet minister occupying the bench of the highest law court of the realm. In all state prosecutions—and mine *was* one—it would fall to his lot to decide in the

cabinet as to their commencement, though in my case this was apparently avoided, by the law officers of the crown keeping aloof from the proceedings; care, however, being taken to employ as my prosecutor an attorney of tried shrewdness, having a personal dislike to myself. A judge thus politically connected had to leave the cabinet in order to carry out its decisions, himself presiding at all trials which might result, adjudging and sentencing the unlucky offenders; of which mode of prosecution the instances of Leigh Hunt, Dr. Watson, and Mr. Hone are cases in point, the parties accused being only saved by the indignant firmness of the juries. Happily, no such combination of political and judicial offices has occurred since Lord Ellenborough's time, nor can it occur, unless some retrograde spirit of despotism shall again—to use the significant language before quoted from the *Quarterly Review*—“*tinge the ermine of justice with the colour of party.*”

A few words in addition are necessary. In Mr. Hume's letter before quoted was an enclosure which he had, in his anxiety to procure full justice for my sufferings, with great difficulty obtained. It is an enumeration of the tardy steps taken to reinstate Sir Robert Wilson in the rank, honours, and emoluments of which for eleven years he had been unjustly deprived by the mere caprice of a political faction.

“30th October, 1830.—Restoration of his rank submitted to the King.

“22nd August, 1832.—Sir Robert Wilson claimed the pay of a general officer from 27th May, 1825, the time when his commission states his rank is to be considered as bearing date.

“8th October, 1832.—Letter of Secretary at War to the Hon. J. Stewart, recommending Sir Robert Wilson's claim of pay to the Treasury as a special case, considering the act of Royal favour to extend to pay as well as rank. The letter also refers to Sir Robert Wilson's signal services *hitherto unrewarded*, and adverts to the fact, that even should the request be granted he will have suffered a considerable pecuniary penalty in the loss of pay from 1821 to 1825, although no military tribunal has tried his conduct.

“16th November, 1832.—Letter of Mr. Stewart, announcing the concurrence of the Treasury, but desiring the opinion of the Commander-in-Chief to be taken.

“19th November, 1832.—Letter from Secretary at War to Lord Hill, acquainting him that he had, in consequence of a communication from Sir R. Wilson, recommended to the Treasury that *the arrear of back pay from the date of his restored rank of Lieutenant-General should be allowed*,* and that the Treasury was inclined to acquiesce in this recommendation, but requested his lordship's concurrence in the first instance.

* The italics in this document are Mr. Hume's.

“22nd November, 1832.—Lord Hill’s concurrence.

“21st December, 1832.—Treasury sanctions the amount for Sir Robert Wilson’s unattached pay as a general officer from the date of his commission being included in the estimates of 1833.”

It has been said that Sir Robert Wilson’s dismissal from the service differed from mine, inasmuch as his was a consequence of ministerial displeasure, whilst mine arose from the verdict of a court of law. How that verdict was procured, I trust has been satisfactorily shown, and if so, both Sir Robert Wilson and myself were sufferers from ministerial displeasure. On the word of a man about (at no distant date) to give an account to his Maker, I was no more guilty of the act attributed to me, than Sir Robert Wilson was of the disloyalty attributed to him.

Sir Robert Wilson claimed his back pay as a right consequent on his unjust deprivation, and obtained it. I have unceasingly done the same, not from the pecuniary value of the amount due, but from the consideration that its being withheld still operates as a stigma on my character and family, which is inconsistent with any restoration to the service. My efforts have been hitherto without success.

Sir Robert Wilson’s application was recommended to the Treasury as a “*special case*.” My applications have not been so regarded.

Sir Robert Wilson’s application was further recommended on account of “*services hitherto unrewarded*.” I will here repeat what has been stated in a previous chapter, in reply to writers who have assumed that I had been handsomely rewarded—that on no occasion did I ever receive the reward of a single shilling for any services which it was my good fortune to render to my country, beyond the ordinary pay of my rank, and the good service pension of 300*l.* a-year, conferred upon me by Sir James Graham, in 1844. Yet Lord Collingwood testified that with a single frigate I had done the work of an army, by keeping a French army from overrunning the Mediterranean coast of Spain. Neither for this nor the destruction of the enemy’s ships in Aix Roads, did I ever receive reward or thanks.

The reader, who is now well acquainted with my services, can pursue the subject for himself. With the exception of the Red Ribbon of the Bath, which as the gift of my Sovereign I highly prize, my reward has been a life of unmerited suffering. Even the stipulations of the South American Governments, to whom I gave freedom, are violated to this day, from

a conviction that no sympathy will be accorded by the Government of my own country.

These are the requitals for my "*hitherto unrewarded services.*"

Amongst the curiosities shown to visitors of the Bank of England, there was, and no doubt is still, a thousand pound bank-note, No. 8202, dated 26th June, 1815, on the back of which are endorsed the following words:—

"MY HEALTH HAVING SUFFERED BY LONG AND CLOSE CONFINEMENT, AND MY OPPRESSORS BEING RESOLVED TO DEPRIVE ME OF PROPERTY OR LIFE, I SUBMIT TO ROBBERY TO PROTECT MYSELF FROM MURDER, IN THE HOPE THAT I SHALL LIVE TO BRING THE DELINQUENTS TO JUSTICE.

(Signed)

"COCHRANE.

"King's Bench Prison, July 3rd, 1815."

There is the reward bestowed on me by a ministerial faction, memorable only for its political corruption. With that protest I close the book.

THE END.

The Autobiography of a Sea man

18

18

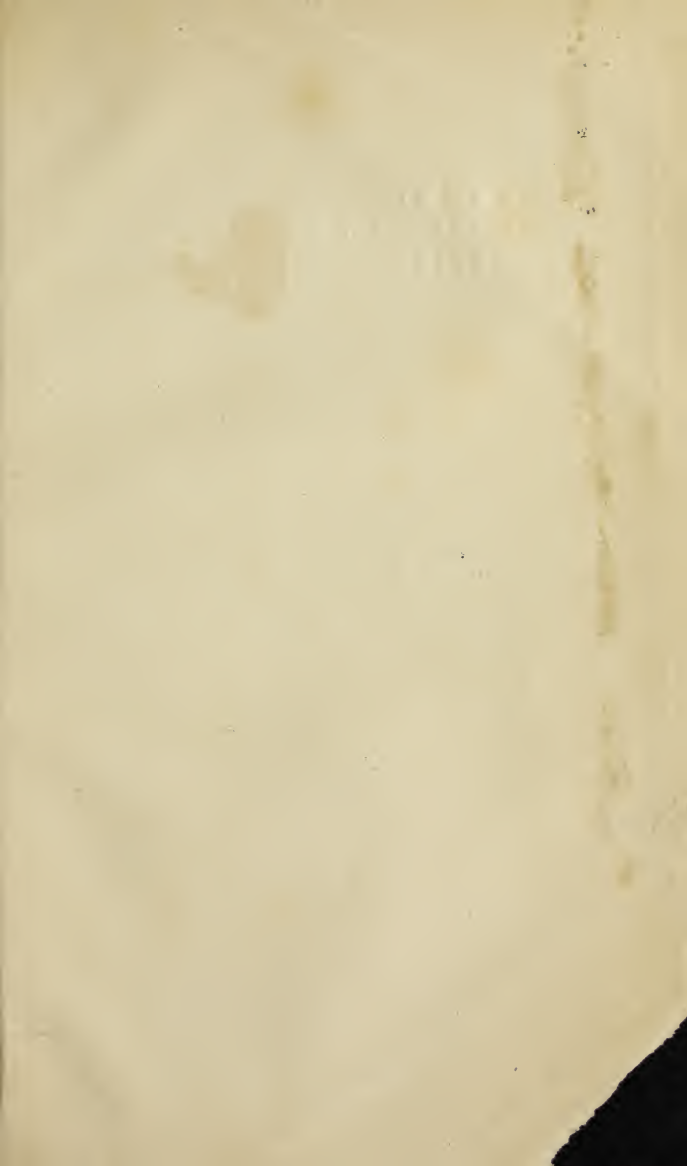
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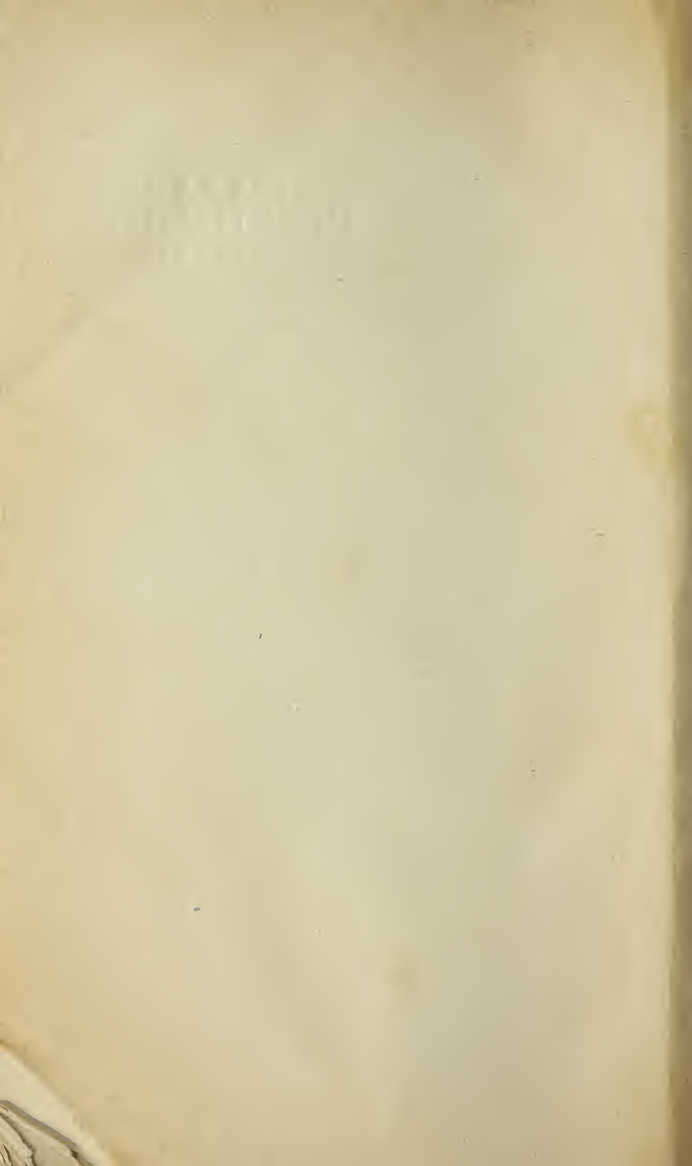
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